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# Alexander H. Stephens: Antebellum Statesman. (Volumes I and II).

Thomas Edwin Schott

*Louisiana State University and Agricultural & Mechanical College*

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ALEXANDER H. STEPHENS: ANTEBELLUM STATESMAN.  
(VOLUMES I AND II)

THE LOUISIANA STATE UNIVERSITY AND  
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ALEXANDER H. STEPHENS:

ANTEBELLUM STATESMAN

VOLUME I

A Dissertation

Submitted to the Graduate Faculty of the  
Louisiana State University and  
Agricultural and Mechanical College  
in partial fulfillment of the  
requirements for the degree of  
Doctor of Philosophy

in

The Department of History

Thomas Edwin Schott  
B.S., Spring Hill College, 1965  
M.A., Louisiana State University, 1974  
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voluntarily undertook the onerous task of typing the final copy of the manuscript.

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And finally to my son, Stuart, who timed his arrival in 1854, six chapters from the end, I owe no thanks at all--except for one thing: his cries and squalls, his goos and gurgles, his smiles and laughs

were ever-present reminders, when I got discouraged, that history,  
even when one writes it, is but the past. The now is always with us.

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## ABSTRACT

Born into comparative poverty in semi-frontier Wilkes county, Georgia, in 1912, Alexander H. Stephens' boyhood and youth were shaped by the early death of his father, whom he idolized; a profound religiosity; poor health and a frail constitution; and a penchant for solitude, books, and abstract thought. Unable to afford education himself, he attended Franklin College as a ward of benefactors, being graduated in 1832. After two unhappy years as a teacher, Stephens studied law and was admitted to the bar in 1834. His early years had witnessed the development of his brooding, melancholy temperament and a fierce, indomitable pride and self-will, characteristics that were to affect significantly his political and personal life. Shortly after becoming a lawyer Stephens began an astonishingly close fraternal relationship with his half-brother Linton Stephens, a relationship that was to last for the balance of Linton's life and which was to become the central fact of Stephens' existence.

Entering politics in 1836 as a member of Georgia's State Rights party, Stephens, like the vast majority of his Piedmont Georgia neighbors, embraced Whiggery in 1840. He served his political apprenticeship in the state legislature from 1836 to 1842 and was elected to the national House of Representatives in 1843, on the verge of the sectional controversy that would mold his antebellum career. No less crucial to the evolution of Stephens' political philosophy and an explanation of his actions in the ensuing years were the bitterly partisan inter-



party struggles in Georgia, as well as the feuds and factional divisions within the state and national parties.

Stephens began and remained a conservative: in personal behavior, in morals, and in politics. As an outspoken and partisan southern Whig he supported the annexation of Texas, and bitterly opposed the Mexican war, the Wilmot proviso, and Calhoun's Southern Rights movement of 1849. Breaking with his party over his support of the Compromise of 1850, Stephens helped promote Georgia's acceptance of the Compromise and became one of the leaders in the state's Constitutional Union party. He remained an Independent for five years, but in 1854 played a pivotal role in helping the Democrats pass the Kansas-Nebraska act in the House. Stephens became a Democrat the following year, in part because of his detestation of the Know Nothing movement, and in part because the Democracy had become increasingly identified with the protection of southern interests. Throughout the decade of the 1850s Stephens became more outspoken in his defense of slavery on moral, legal, and political grounds.

By now an influential and powerful legislator, Stephens labored assiduously to promote southern interests in Kansas, and served as the Buchanan administration's floor leader in the House during its futile attempt to admit Kansas under the Lecompton constitution. Stephens retired from Congress in 1859 and thereafter bent all his efforts to preventing a disintegration of the Democratic party. Towards this end, he defended Stephen A. Douglas against his southern enemies,

supported his candidacy for the presidency, and served as a Douglas elector in the election of 1860.

Stephens was the South's most prominent opponent of secession after Lincoln's election, but overwhelmed by events and by what he regarded as the opportunism and fanaticism of the secessionists, he gave himself up to defeatism during Georgia's campaign for the secession convention. Stephens supported his state when it did secede in mid-January of 1861, a victim as well as an unwitting architect of the tragedy that had overtaken the nation.

## GUIDE TO ABBREVIATIONS USED IN CITATIONS

### Depositories

DU	Duke University Library, Durham, North Carolina
EU	Emory University Library, Atlanta, Georgia
GSA	Georgia State Archives, Atlanta, Georgia
GU	University of Georgia Library, Athens, Georgia
LC	Library of Congress, Washington, D. C.
MC	Manhattanville College of the Sacred Heart, Manhattanville, New York
PHS	Pennsylvania Historical Society, Philadelphia, Pennsylvania
SHC/NC	Southern Historical Collection, University of North Carolina Library, Chapel Hill, North Carolina

### Correspondents

AHS	Alexander Hamilton Stephens
LS	Linton Stephens

## CHAPTER I

### A CHILD OF DESPAIR

You have to begin by taking a short drive down an orange-red dirt road. On the right, not far, is a weather-beaten empty shack of undetermined age, its roof partially caved in. You cross a rickety plank bridge, and a little farther on, another one. The road swings off to the right. A few hundred yards more and you have to stop. From here on you must go on foot. You climb up a small embankment, over two strands of rusty, loosely strung barbed wire, and move into dense and dark woods. Vines and thorny brambles tug at your clothes and shoes as you make your way. Finally, you come to a stone wall, moldy and crumbling, enclosing an area all but indistinguishable from the surrounding forest but for the tombstones poking out of the undergrowth and fallen trees. The scene is illuminated only by tiny sunbeams that have struggled through the leaves to reach here.

This is where Alexander Stephens wished to be buried--in this dark and lonely place beside his father and mother, his grandfather and brother Aaron. He did not get his wish. His body lies two miles to the south back down that orange-red road beside an imposing monument to his memory in front of the house he lived in for almost fifty years. And beside him there lies Linton, the brother he loved.

Alexander Stephens came often to this lonely spot in the woods, but then it was cleared ground. He came very often on solitary and sad walks to stand at these graves, musing, remembering his boyhood and his father. (His mother had died very early in his life.) Here he would ponder the mysteries of time and fate and what ravages they could make of a man's hopes, a man's fame. As often as not, he would weep.

Alexander Stephens never knew the grandfather whose name he bore. He was an infant in 1813 when the old Scot, aged eighty-seven, died. Had he been born earlier, he might have heard his grandfather's stories of the old days. Stories of having fought for Charles Edward Stuart, the Young Pretender, in the second Jacobite Rebellion of the mid-1740s--a cause as lost as the one his grandson would fight for--of the flight from England after Culloden Moor, of life and trading among the Shawnees on the Pennsylvania frontier to which he had fled. Stories of his service in the colonial militia in the Great War for Empire, and of service in the Revolution on the patriot side. Perhaps, too, the old man might have told his wide-eyed listeners how he came to woo and, in 1766, to marry Catherine Baskins, a Pennsylvania ferryman's daughter, and how in the early 1790s he and Catherine with their eight children--three sons and five daughters--moved to Georgia. Or the young Stephens might have heard how they came to Elbert county first, and then to a plot of rented land on the banks of Kettle Creek in next-door Wilkes county.<sup>1</sup>

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<sup>1</sup>The fullest details on the senior Alexander Stephens are in

Alexander's own father, Andrew B. Stephens, was one of those three sons, and he was the only one of them to remain in Georgia. Both his brothers left eventually, one returning to Pennsylvania, the other striking out into the wilds of Tennessee. Four of the five daughters soon married and also departed, leaving Andrew and his sister, Jane, alone with their father to tend the farm.<sup>2</sup> This was a fortunate turn of events for the old warrior because Andrew was not at all like his father. Guns held little attraction for him. Instead, he liked to farm, and he was good at it. And he liked books.

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James Z. Rabun, "Alexander H. Stephens, 1812-1860" (Ph. D. dissertation, University of Chicago, 1948), 1-5. See also Richard Malcolm Johnston and William Hand Browne, Life of Alexander H. Stephens (Philadelphia, 1878), 17-19; and Rudolph Von Abele, Alexander H. Stephens: A Biography (New York, 1946), 21-23. Several important documents relating to the family can be found in Lucian Lamar Knight and Mrs. Horace M. Holden, Alexander H. Stephens, The Sage of Liberty Hall: Georgia's Great Commoner (Athens, Ga., 1930), as well as in Martha F. Norwood, Liberty Hall: Taliaferro County, Georgia: A History of the Structures Known as Liberty Hall and Their Owners from 1827 to the Present (Atlanta, 1977). Family legend has it that Stephens was present at Braddock's defeat under Washington in 1755 and that he later served as a Captain in the Revolution. The researches of Rabun and Von Abele have failed to discover evidence of his having served in the army in either instance. His name appears neither on Georgia nor Pennsylvania muster rolls, nor in the records in the National Archives. This does not, however, preclude his having served. Alexander Stephens' will, dated 29 November 1813, bequeathed to his daughter Mary "the remaining moiety" of an undivided two-thousand acre tract of land to which he said he was entitled "as will appear . . . from the record." Knight and Holden, supra., 167-68. And we do know that Alexander H. Stephens, his grandson, filed a claim for a revolutionary war veteran's land bounty in the 1830s. Wm Gordon to AHS, 25 July 1834, Ralph E. Wager Papers, EU. Unfortunately, no evidence exists to show whether this claim was honored.

<sup>2</sup>Catherine Baskins Stephens, Alexander H.'s paternal grandmother, had died on Kettle Creek in 1794.

It was this aptitude for learning that prompted his father, whenever it was possible to spare Andrew from the plow, to send him to the nearest field-school in the vicinity. By the time the boy was ten years of age, his progress in school was so marked that he could not longer be confined to a mere frontier hall of learning. At some sacrifice, therefore, Alexander Stephens sent his son to Reverend Hope Hull's Methodist Academy at Washington, the county seat--for its time, we are told, "a famous school."

Young Andrew performed brilliantly there. And when it came time for the Reverend Hull to recommend to a committee of inquiring gentlemen a schoolmaster for a proposed school at the far end of the county on the south side of the Little River, he unhesitatingly nominated Andrew for the job. The committee, not to mention Andrew himself and his fellow pupils, must have been surprised at Hull's choice. Andrew Stephens was only fourteen years old.

The new teacher, for Andrew accepted the job, was a prudent young man. With his earnings from his first year's teaching at the Little River school and his bond for the balance, he bought a hundred acres of land near the future site of Crawfordville. He did not immediately clear the land, but continued to teach. In time, though, he moved his father and sister to his property and upon his marriage on 12 July 1806, moved his new bride there, too, and settled down to farm the red earth.<sup>3</sup>

The bride's name was Margaret Grier. Her father was Aaron Grier, a descendant of a clan that had been in Georgia since the 1760s.

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<sup>3</sup>Johnston and Browne, Stephens, 19; Rabun, "Stephens," 5.

Aaron Grier's forebears had come to America--just when is not known--from northern Ireland and had settled in Pennsylvania. One branch of the family remained there, and from it issued Justice Robert C. Grier, who served twenty-four years on the U. S. Supreme Court. Margaret's branch of the family, the Georgia Griers, managed to attain only regional prominence. She had three brothers, two worthy of some passing notice: Aaron, an Indian fighter during the War of 1812, brigadier general in the Georgia militia and later, a Whig politician in Wilkes county; and Robert, "an eccentric dabbler in meterology, astronomy, and folklore, [who] edited an annual called 'Grier's Almanac'" which along with the Bible and flintlock achieved the status of household necessity among the southern dirt farmers.<sup>4</sup>

Andrew's courtship of Margaret, like everything else he did, was studied and proper. In this he was unlike his father, who, so goes the tale, became enamored of Catherine Baskins immediately upon casting eyes on her on her father's ferry, and proceeded to win the comely lass despite her father's opposition and threats of disinheritance. Andrew impressed his future in-laws, if not with his fortune (it was strictly in a state of potency at the time), at least with his probity.<sup>5</sup>

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<sup>4</sup>Ibid., 8; Johnston and Browne, ibid., 20.

<sup>5</sup>His courtly letter to Margaret's parents asking her hand, 17 May 1806, and Aaron Grier's reply is in Knight and Holden, Stephens, 163-65. For the romantic saga of Alexander and Catherine, see Harry H. Hain, History of Perry County, Pennsylvania . . . (Harrisburg, 1922), 615. Catherine did in fact receive a meagre inheritance, Rabun, "Stephens," 4n.



The rude log house into which Andrew and Margaret moved was situated about fifteen miles to the southwest of Washington in the Georgia Piedmont. This was part of middle Georgia, a wide, comparatively fertile belt of red loam soil running southwestward across the heart of the state. Sandwiched between the rocky, mountainous region to its north and the sandy, flat pine tree barrens to its south, middle Georgia is rolling country. It is pretty and inviting in its lush greenness today, even as it must have been to its first settlers, who, pushing down from Virginia or the western Carolinas in the 1780s and 1790s and, taking advantage of the state's generous headright land grants,<sup>6</sup> cleared or girdled the oaks, pines, hickories, and red cedars they found growing there in profusion and laid in their crops of grain, tobacco, and Indian corn.

But by the time Andrew Stephens settled down with Margaret to farm what his celebrated son would call "the old homestead," the economic life of Wilkes county had been revolutionized. Whitney's gin had overnight turned green-seed upland cotton into a profitable export crop. And the red clay soil of middle Georgia, like the inexpensive black slave labor soon pouring into the country, was admirably suited to its cultivation. Like a splash of white paint, cotton washed across the middle Georgia countryside--into Oglethorpe

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<sup>6</sup> By which every head of family for the payment of surveying fees was granted two hundred acres plus another fifty acres for each family member. Slaves, up to ten in number, were reckoned as family members in determining the size of the grant. Thus the foundations were laid early for several large estates of the nineteenth century. Enoch Marvin Banks, The Economics of Land Tenure in Georgia (New York, 1905), 15.

and Greene and Morgan counties and beyond, pausing only long enough to enable the whites to vacate the Indian titles. Here and there among these counties cotton made a few men rich: some eventually rich enough to number their acres in thousands and their slaves in hundreds. Rich enough too, to make a large planter conspicuous, enviable, and politically powerful in a society composed largely of sturdy, industrious yeomen.

These yeomen were, and would remain, the backbone of middle Georgia society, and as yet, in 1806, they still set its tone. The great majority of these people owned and farmed their land. Some of them possessed a few slaves, but most did not. Very few had received the benefit of schooling, and fewer still had attained the heights Andrew Stephens had. What they liked was whiskey in gargantuan quantities, horse-racing, brawling, hunting, and cockfighting. The most admired men among these rough-hewn people were the strong, those quick with fists or skilled with gun and knife. A man like Andrew Stephens, the schoolmaster, was different--quiet and even-tempered, pious and upright--a man like this deserved respect.<sup>7</sup>

He earned the respect and admiration of his children, too. Margaret soon presented him with three: Mary, Aaron Grier, and, in the early morning hours of 12 February 1812, another son, Alexander.

Little is known of Alexander Stephens' mother. Her son later

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<sup>7</sup>Robert Preston Brooks, The Agrarian Revolution in Georgia (Madison, Wis., 1914), 83; Von Abele, Stephens, 20-21; Ralph Betts Flanders, Plantation Slavery in Georgia (Chapel Hill, 1933), 60 ff. East central Georgia was preeminently plantation country. Its period of greatest expansion were the years 1801-1815. By 1810 Georgia was producing 40,000 bales of cotton per year. In 1791 the state grew 1,000 bales.

described her as mild, intelligent, and gentle, but not very strong.<sup>8</sup>  
 He never knew her, for within a month of his birth, she was dead.  
 Her infant son, like his mother, was frail and sickly--it was  
 apparently her only legacy to him--and he would remain so for the  
 rest of his life.

Saddled with three small children, a farm to work and a school  
 to teach, and being the sensible man that he was, Andrew Stephens lost  
 no time in finding another wife. In 1813 he married Matilda Lindsey,  
 daughter of Colonel John Lindsey, a revolutionary war veteran of  
 some means.

Between Alexander and his stepmother, as he admitted, "there  
 never did exist much filial affection."<sup>9</sup> Just why, he himself did  
 not know--or would not say. Perhaps she scolded him, or was strict,  
 or, worse yet, beat him often for reasons he deemed insufficient.<sup>10</sup>

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<sup>8</sup>AHS to LS, 9 February 1853, Stephens Papers, MC.

<sup>9</sup>AHS Diary, 14 April 1834, Stephens Papers, LC.

<sup>10</sup>Johnston and Browne, Stephens, 36. That Stephens' stepmother  
 exerted a powerful though unknown effect on his future life seems  
 clear to me. Previous biographers have dismissed her, being content  
 to characterize Stephens as "his father's son." (Von Abele, 25;  
 Rabun, "Stephens," 10.) This is understandable perhaps in view of the  
 plethora of evidence on the father's influence. But this very evidence  
 demonstrates the impressionability of the young boy, and Matilda  
 Stephens was an everyday presence in his life for thirteen years.  
 The very fact that he does not mention her is extremely suggestive.  
 This fact, coupled with his prudishness, his puritanical views of  
 sex, his abhorance of the carnal side of man's nature, his impatience  
 with and condescension to the innocent diversions of dancing and  
 flirtation--not to mention his utterly romanticized view of women  
 and his, to say the least, peculiar relationships with them ("I  
 never was a ladies man, and I never expect to be," he wrote at the ripe  
 old age of twenty-two. AHS to M. Liddell Barron, 7 May 1834,  
 Stephens Papers, EU); all of these, I think could be indicative  
 of something more than the effect of a stern and pious father on

But his father was strict, too, and on occasion would wield a memorable strap for serious infractions of his standards of conduct. Whatever the cause of the coolness between them, Alexander rarely mentioned her again.

But he cherished his father's memory. He spoke and wrote of him often, grieved for him annually on the anniversary of his death, and consciously patterned his own conduct on what he could remember of his father's. In a word, he idolized the man. Long after he was laid to rest, Andrew Stephens remained a spectral presence in the life of his son, a model to live by and yet, withal, a slightly frightening, eerie, and forbidding presence, in Stephens' words, "a ghost of . . . admonition" astride the path of his life.<sup>11</sup>

Before he died, Andrew Stephens' black hair had become streaked with gray. In his later years he suffered both from severe neuralgia in the back and from earaches. In his youth he had been robust, a strong wrestler with his 160 pounds spread evenly over his medium frame. Gray-eyed and erect in carriage, he cut a pleasing, but

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a sensitive or even excessively religious nature. It could well be that Matilda Lindsey's influence on Stephens could at least partially account for his strange distrust of the passions he and the rest of mankind were born with. It could be that she was a passionate, sensual woman or conversely, even more upright and pious than her husband. We don't know. I have drawn a reasonable inference from what Stephens wrote about his childhood whippings, the only piece of concrete evidence we have of his life with her. On sex, passions, weakness of women and dancing, see MS Diary, 23 May, 7 September 1834; on dancing and flirtation, AHS to LS, 2 February 1851, Stephens Papers, MC; on the passions of the young "a great deal of near animal in its composition," AHS to LS, 27 April 1850, Stephens Papers MC; on his romantic views of love and marriage, see his letters of advice to his niece, Mary Stephens, 30 January, 28 February 1858, ibid., DU.

<sup>11</sup>AHS to LS, 9 February 1853, Stephens Papers, MC.

hardly dashing, appearance, as he sharpened his plows or skillfully grafted the trees in his fruit orchards. He was a man who took pride in his labor and independence, and he impressed upon his children the idea of honorable industry and advancement of one's fortunes. (He eventually had eight children, five by Matilda Lindsey: four sons--John L., Andrew B., Benjamin F., and Linton; and a daughter--Catherine. Two of the boys, Andrew and Benjamin, died in childhood.)

He was a rather humorless man, with a serious mien that mirrored the cast of his mind. He took his greatest delight in his farm and his work. Like many of his neighbors, he was a skilled craftsman, equally adept in carpentry, masonry, tanning, and leather-working. He loved his farm and would have been quite content to stay there all the time. Although he took great pleasure in reading and writing, he did not like teaching. It was only the earnest entreaties of his neighbors, who had no one else to call upon, that induced him to endure the often thankless task of attempting to educate a roomful of frontier moppets.

He felt that teaching was a duty, and he took duty very seriously--duty to God above all else. "The thoughts of Death, Immortality, invisibi[lity a]nd Eternity are mostly on my mind," he wrote once to an aunt in Pennsylvania. "And above all I hope we'll meet with JESUS." His less devout neighbors, to their chagrin, soon discovered that cursing or swearing around him brought a swift rebuke, that ribald stories were not allowed in his presence, and that a friendly Sunday afternoon visit earned them a front row center seat to a sermon reading.<sup>12</sup> It

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<sup>12</sup>A[ndrew] B. Stephens to Mrs. Jane B. Jones, 10 November 1824,

was an extremely effective way, he had discovered, of dispersing unwanted Sunday guests and keeping holy the Sabbath.

But his neighbors were understanding. In the first place he often set a far better example of Christian behavior than they did. Moreover, he was always available and willing to share with them his skills with the pen: writing their letters, their notes, their contracts, and their deeds. And their children loved him, despite the fact that his manner in the classroom was unique to its time and place. Indeed, it was probably his manner that so endeared them to him.

Had it been thought of, hazardous duty pay for southern field-school teachers in the early nineteenth century might not have been a bad innovation. The practice of "turning out," or physically keeping a teacher out of school until a holiday was declared was a universal prank. And the rule of the rod, however efficacious for the advancement of knowledge, exerted a tenuous and always challengeable discipline, its effectiveness decreasing in direct proportion to the size and belligerency of the recalcitrant scholar.<sup>13</sup> With such working conditions (and the pay was miserable, too, as a general rule) it is not surprising that the teaching profession failed to attract quality practitioners. It was part-time work anyhow.

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Stephens Papers, LC; AHS to Richard M. Johnston, 11, 17 November 1863, Johnston and Browne, Stephens, 21, 33-34, 39.

<sup>13</sup>AHS to LS, 1 January 1860, Stephens Papers, MC; AHS to Richard M. Johnston, 17 November 1863, Johnston and Browne, Stephens, 26-27.

Few children attended school for more than three or four months of the year, two or three years of their lives.<sup>14</sup>

Andrew Stephens was shaped in a different mold from most field-school teachers. Unlike "old Nat Day," Alexander's first teacher, a gentleman as quick to quaff a dram as to raise the switch, he abhorred drinking. And he never lost his patience, though it must have often been sorely tried, with his raw young pupils. He never scolded, pulled ears, or employed the rod. The only force he used was that of his own personality, and by this alone he managed to keep order and, no doubt, impart the rudiments of spelling and reading and manners (this last being his own addition to the usual curriculum) to his students. No less important were the virtues he attempted to instill: "sobriety, morality, industry, energy, and honor." He was a teacher who ever after was remembered by his students with fondness.<sup>15</sup>

Alexander Stephens did not have the benefit of his father's teaching in a classroom until he was eight years old. But his father's at-home influence was powerful and pervasive, and we can be sure that by that time the young boy had been well instructed in the principles of righteous living. As a youngster on a farm, he performed the usual chores--those, that is, that his feeble strength allowed--hauling water and manure, digging the garden, shooing away the calves at milking time, driving the cattle, and

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<sup>14</sup>Rabun, "Stephens," 16-17.

<sup>15</sup>Johnston and Browne, Stephens, 38.

tending sheep. He shepherded the younger children, too, as the human flock in the household proliferated. He was not strong enough to plow until he was eleven, but before this he had become an expert corn-dropper, able to seed a furrow as fast as any plowman could turn the moist red earth.<sup>16</sup>

Except for three months at Mr. Day's Cross Roads school in 1818, Alexander had no schooling at all, other than what he received under his parent's gaze at home, until 1820. In that year and for the four ensuing years, he attended his father's schools for about three months out of the twelve.<sup>17</sup> Quite early--in the first year with his father, in fact--the boy had demonstrated a decided ability in reading. At the end of the school term that year, he selected and recited an address on charity by Blair, a Scottish minister and divine, to the crowd at the school "exhibition." These "exhibitions"--gala affairs which drew large throngs from in and about the surrounding countryside--gave the young scholars a chance to show off their oratorical or dramatic talents before an audience. We can only surmise that public speaking before a crowd (and these crowds were uproariously friendly) held no terrors for eight-year-old Alexander. Blair's address, he wrote later, made a deep impression on him. Evidently, considering the future contours of his thinking. It contained "the sentiments of Job."<sup>18</sup>

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<sup>16</sup>Ibid., 31.

<sup>17</sup>Rabun, "Stephens," 14-15.

<sup>18</sup>Johnston and Browne, Stephens, 34; Alexander H. Stephens, Recollections of Alexander H. Stephens: His Diary Kept When a



Until the summer of 1824, Alexander had evinced no great interest in learning, but a momentous event in his life occurred one bright Sunday morning. With a Bible in one hand and his father's strong grip on the other, he took his place in the Sunday school class at Powder Creek meetinghouse. The scriptures were learned by rote in those days, and the recital lessons for young Alexander's class began, logically enough, at the beginning, Genesis. The boy was entranced. Books had captured a hostage for life.

"Much reading is an oppression of the mind," William Penn had once advised his children. But Andrew Stephens was no Quaker--in fact, surprisingly, he never formally associated with any church--and his son was soon awake far into the nights, sprawled beside the pine knot fire, enthralled by the Old Testament stories of battle, lust, love, sin, and empire. His reading rapidly improved, and, before his class was out of Genesis, he had finished the Old Testament.

His astonishing progress in Bible class, a fact much remarked upon by his peers and betters alike, had several important effects on the boy. First of all, it gave him a taste for reading and for history. But even more importantly it stirred from its slumber an ego which heretofore was "very timid and self-distrustful, bashful and afraid" of asserting itself. "It gave me reputation," he wrote. And the taste of reputation, startlingly new at the time, he found exceedingly pleasant.<sup>19</sup>

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Prisoner at Fort Warren, Boston Harbor . . . ed. Myrta Lockett Avery (New York, 1910), 290-91. [Hereinafter cited as Stephens, Recollections.]

<sup>19</sup>Johnston and Browne, ibid., 42-43.

This great turning point in Stephens' life was succeeded two years later by an even greater one. On 7 May 1826, Andrew Stephens, only forty-four years old, lapsed into a coma and died of pneumonia. Alexander had known his father was sick. Only the day before, Andrew had told him that he was dying. But Alexander could not comprehend it--could not comprehend it when, rushing in from the plow at a desperate summons, he arrived breathless beside his father's bed. He stood there for hours, unrecognized, through the delirium, the low moans, the labored, rattling breathing. And when that breathing finally stopped, he knew.<sup>20</sup> This was Death. This was the End.

His grief was monstrous. Followed by a weeping friend who vainly attempted to console him, Alexander Stephens threw himself on the grass and rolled over and over and over. Consolation was impossible. Even tears were impossible on this day, although he would shed them abundantly later. In an image which aptly conveys the searing of his mind and soul that had occurred, he wrote, "My eyes were as dry as if scorched in the fire."<sup>21</sup>

Literally hundreds of times thereafter, Stephens would attempt to put into words what had happened to him that day, and he would always admit that the right words failed him. The copious tears he shed in after years on remembering the death he witnessed are much more a testimonial to his grief. Words, even his own, were a

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<sup>20</sup>Von Abele, Stephens, 42-43.

<sup>21</sup>AHS to LS, Stephens Papers, MC.

pitiful substitute: "The heart of my own soul ceased to beat. The light of my life went out. Despair! Despair! Despair!"<sup>22</sup> Only fourteen years old, Stephens had tasted yet another emotion. And this one, too, was to become part of his nature.

To describe Alexander Stephens as congenitally atrabilious is merely to characterize. His despondency, his fits of morbid depression, his preoccupation with death, destruction, and decay were habitual, yes. But they were more than merely habitual: They were a way of defining himself, of putting himself into the awful cosmic scheme which had decreed life with constant bodily suffering for him, and death, the inscrutable end, for one after another of those he loved as he lived on. It was because he tried so hard to fathom this mystery and never succeeded that Stephens became what he was, a child of despair. He trod on the edge of the eternal Abyss, sometimes with fear, often with a haunting sense of wonder--and sometimes, too, with ill-disguised longing.

Stephens' melancholy is a complex phenomenon, at one and the same time terrifying in its intensity, fascinating in its expression, and bewildering in its texture. And its complexity is only heightened by one's realization of the intelligence of the man and of other facets of a many-sided personality. Perhaps the task of searching for the source of this despondency is fruitless, like attempting to find the seed from which a full-grown plant has sprung. But the student, after reading years of Stephens' letters, cannot but be

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<sup>22</sup>Ibid.

struck by the centrality of death in his despair--as perhaps it must be in any despair. It was not simple, this desperation. It was like an onion, of many layers. But at its heart lay death, this death on a beautiful springtime morning in 1826. "With that last breath my last hope expired," he wrote. "The earth, grass, trees, sky, everything looked dreary; life seemed not worth living, and I longed to take my peaceful sleep by my father's side."<sup>23</sup>

One week later the Stephens children were orphans. Matilda followed her husband, a victim of the same disease. "It was the consummation of my woes," said Stephens. Not because his stepmother had died, but because now the tight-knit family of children was to be scattered. Alexander and his older brother Aaron went off to Raytown in Warren county to live with their uncle, Aaron Grier, and his sister, Elizabeth. The children of the second marriage, John, Catherine, and three-year-old Linton, were parcelled out to relatives of their mother.

Andrew Stephens did not die a poor man. He was not rich, by any means, but twenty years of assiduous labor on his farm had

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<sup>23</sup>Johnston and Browne, Stephens, 40. The inscription on Andrew Stephens' tomb is a touching portrait of the man. It was probably written by his son Alexander:

He Was Distinguished Amongst  
His Neighbors For Many  
Qualities Of The Hand And Heart  
But For None More Than For  
Probity Truth Honor And  
Incorruptible Integrity

Quoted in Von Abele, Stephens, 27.

substantially improved his fortune. The acreage of his farm had increased to about 230, worth about \$2,300.<sup>24</sup> Moreover, he had acquired nine slaves, and they were appraised at between \$1,700 and \$1,900. When the personal property of the estate--tools, furniture, livestock, fodder, produce (including 4,062 lbs. of cotton), and household effects--was sold at public auction, it brought \$934.49.<sup>25</sup> The slaves were hired out for three years and then divided by lot among the children. Alexander received Ede, a female valued at \$300. Although the share for each of the children eventually amounted to about \$627,<sup>26</sup> they realized immediately

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<sup>24</sup>Norwood, Liberty Hall, 58. Rabun, "Stephens," 20n. says that the land was sold in 1828 for \$700. There is no clear way to resolve the difference. Part of the land was sold along with the personal property of the estate for \$76. How many acres this parcel amounted to is unknown. It is probable that in 1828 only part of the property was sold, since to assume otherwise would be to accept an almost 70% depreciation in two years in the value of what was at least second-quality land.

<sup>25</sup>The estate papers of Andrew B. Stephens, including his will, the Inventory and Appraisements and the list of personal property sold, together with buyer and price, is in Norwood, ibid., Appendix B, 193-200.

<sup>26</sup>The figure is in Rabun, "Stephens," 20n. He points out correctly that Alexander and Aaron were also entitled to a \$200 legacy at age eighteen from their grandfather. He goes on to quote the story Stephens often told of an orphan boy, passed from hand to hand, who through hard work and diligence managed to achieve success. The story always ended with "And that orphan boy now stands before you."

Rabun concludes that "Stephens . . . as a public figure, was never loath to dramatize a boyhood of penury, privation, and toil." This is certainly correct as far as it goes, but he is wrong when he says, pp. 20-21, that though modest, the inheritance invested at 8 percent would pay for his clothes and school. In the first place, it reckons the slave's value as liquid capital. In the second, it flies directly in the face of evidence 1) that Stephens went to his first two years of college on funds provided by the Georgia Education Society, 2) that he obtained from his Uncle Aaron Grier,

only about \$186 apiece.<sup>27</sup>

It was fortunate, then, that Uncle Aaron and Aunt Betsey allowed the Stephens boys free room and board. They had to help work the farm, of course. Later that summer both enrolled in a Roman Catholic school in Locust Grove. Since farm chores occupied much of their time--Uncle Aaron was unmarried and had no home-grown hands of his own--their attendance was sporadic. And in his first week's attendance, Alexander managed to irritate the teacher, a quick-tempered Irishman named O'Cavanaugh.

It happened during spelling drill. Stephens was always a good speller, and he took pride in his ability. But on this particular day he was given, in an utterly unintelligible brogue, the word "Arabia." Rather than embarrass the man, Stephens said, "I can't spell it, sir." O'Cavanaugh's temper flared. Raising his switch threateningly, he advanced on "the confounded little rascal" and repeated the word, which sounded just as foreign to the boy's ears as before. Instead of cowering, Stephens eyed some rocks by the door sill, which he fully intended to fling if hit with that switch, and glowered back at the enraged teacher.

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several years early, his \$200 patrimony from his grandfather which he used to pay his own way through the next two years of college, and 3) that he borrowed money from his older brother to reimburse, with interest, the Education Society. See Johnston and Browne, Stephens, 58-59; also AHS Diary, 24 April 1836, Stephens Papers, LC.

<sup>27</sup>The figure Stephens recalled was \$444. Rev. George White, Historical Collections of Georgia . . . (New York, 1855), 643. How he arrived at this sum is not known but the \$186 share of the estate, a one-fifth share of the slaves hired out for three years, \$85.20, and the \$140 share of the land sold in 1828 approximates it.

He explained that he knew every word of the lesson and could spell all of them if they were pronounced in a way he was used to, but he could not understand the word the way it was being pronounced, and he added stoutly, "Sir, you shall not speak to me that way." It was a stand-off. A change came over O'Cavanaugh's face. Lowering the switch, and without further word to Stephens, he passed on to the next pupil.

The frail little orphan boy became an instant celebrity among his classmates--and once more he got to savor adulation. More significantly, as he was to write years later, "[This] was the first time I . . . ever faced a man as his equal. From that time on my character was set."<sup>28</sup> Indeed in the ensuing years he was not to encounter many men he would acknowledge even as an equal.

It was during the fall of this year, 1826, that the first of Stephens' fortuitous benefactors crossed his path. His name was Williams, a Presbyterian minister, who had come to Raytown to establish a Sunday School. Since Aunt Betsey was of his faith, Williams called out at the farm to see her, and there he met Alexander. Both the boy and his aunt were enthusiastic about the proposed Sunday school, and Alexander accompanied Rev. Williams on his recruiting trips around the neighborhood. It is no wonder that Williams recognized the boy as a kindred spirit. Alexander, always of a serious turn of mind, was becoming even more so since the

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<sup>28</sup> Johnston and Browne, Stephens, 44-45. Despite this difficulty O'Cavanaugh and Stephens soon came to like each other.

death of his father. And increasingly religious too, spending his time during the long, lonely walks to and from school in pensive brooding on the state of his soul.<sup>29</sup>

The Sunday school, duly established under the superintendency of Charles C. Mills,<sup>30</sup> soon boasted an excellent young scholar, Alexander Stephens. As a result, after a short stint as pupil, he was promoted to teacher. Besides undoubted proficiency in Biblical studies, the boy also evinced to his observant elders several other noteworthy qualities: he was pious, grave, and perhaps a little inclined to melancholy. Excellent qualities, they thought, for a minister.

The pulpit was far from Stephens' mind at the time. What was on his mind was studies--and at this particular time it was arithmetic. In the spring of 1827 he worked his way delightedly through the Federal Calculator, mastering it in its entirety by June. But what could he next master? As it was, he had had to beg his uncle for the time to complete this term. (Aaron had worked the farm while Alexander alone had attended school.) Uncle Crier now urged him to quit school and hire on permanently.

This, as far as Alexander was concerned, was out of the question. It had become obvious to him, as it should have to everyone else, that farm labor was physically beyond him. Only desk work

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<sup>29</sup>Ibid., 43, 46-47.

<sup>30</sup>Mills was somewhat of a local light: Justice of the Inferior Court of Wilkes County and member of the state legislature. AHS Diary, 14 April 1834, Stephens Papers, LC.



would suit--perhaps he might land a clerkship in a store, save some money, and then go further in his studies, he thought. In the meantime it would be a waste of money to continue his education unless he studied for some profession.<sup>31</sup>

It was at this point that Charles Mills touched Stephens' life. Upon learning that this promising young man aspired to nothing more than tending store, he undertook dissuasion. Why not go to the Academy at Washington, Georgia, and study Latin, he suggested. Money would be no problem, he replied to the boy's objection, for he would provide it. Stephens was more than agreeable to this arrangement, but such a step would require consultation with his uncle and aunt. Uncle Aaron proved to be indifferent--he was content to let Alexander make up his own mind. Aunt Betsey, however, strongly urged that he accept the offer.

He did. And on 28 July 1827 he arrived at the comfortable home of Alexander Hamilton Webster, the minister of the Presbyterian church in Washington. Webster and Mills knew each other well, of course, and though Stephens did not know it at the time, it had been the former who had suggested Washington Academy for the boy.<sup>32</sup>

Washington, fifty-three miles northwest of Augusta on the road to Nashville, was a pretty little town, and a prosperous one, too. The county seat and home for about 800 persons, it had a

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<sup>31</sup>Johnston and Browne, Stephens, 45-47.

<sup>32</sup>Ibid., 47-49.

branch of the State Bank, a courthouse "with an excellent clock," a jail, three Protestant churches, and a number of imposing private homes.<sup>33</sup> Amidst these pleasing surroundings, Stephens was soon immersed in study of Latin and Geography. After only three weeks with Latin grammar, he had progressed enough to be placed in a reading class. Historiae Sacrae proved to be no great obstacle either, for his Biblical studies had prepared him well for this. So by the end of September, having led his class, he began a new term with Caesar.

By this time the talented but lonely youth had become quite attached to his benefactor. Indeed, upon learning Webster's full name from the inside cover of a book, Stephens adopted "Hamilton" as his middle name. For his part Webster reciprocated the boy's feelings. He had seen enough in only a few week's observation to convince him that the reports he had received about this young man were true. There could be no doubt of it: this sad, lonesome, and gifted young man, who so excelled in his knowledge of scripture and whose sense of morality seemed irreproachable, was eminently suitable for the ministry. So Webster proposed the idea to him.

Alexander was at first taken aback. He was confused, gripped by indecision. This was an entirely unexpected turn of events. Although the service of God was not without its allure, preparation for it would require still more indebtedness. He was embarrassed

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<sup>33</sup>Adiel Sherwood, A Gazetteer of the State of Georgia . . . (Washington, 1837), 251.

by his conflicting emotions, and for a time the subject was not broached again. But at the end of the September term, Webster returned to Raytown with him, and there, again forcefully urged by his aunt, Alexander Hamilton Stephens made his decision. He would continue his studies, and then go on to Franklin College at Athens to prepare for the ministry under the auspices of the Georgia Education Society. To the arrangement he added one proviso: if, upon graduation, he felt no call to preach the gospel, the decision would not be held against him. In any case, the money that the Society would advance him would be repaid, and with interest.

No sooner had he arrived at this decision and returned to the Academy, when Webster, his much loved patron, died, aged twenty-six, of "a malignant autumn fever."<sup>34</sup> This was another numbing blow to Stephens. A dear friend and a chance at college were both snuffed out at once. With a mournful heart he prepared to leave Washington.

Stephens had not reckoned on others in the town, nor had he been aware of their interest in him. Soon another patron Adam L. Alexander, one of Webster's closest friends, approached him. He had known of his friend's plans for the boy, and he stood pledged now to carry them out to their completion. Several other elders of the church likewise promised their aid, should it become necessary. Boarding with successive families about town, Stephens remained in school until June 1828, at which time he was adjudged ready for college.<sup>35</sup>

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<sup>34</sup>Von Abele, Stephens, 33; Johnston and Browne, Stephens, 50-51.

<sup>35</sup>Von Abele, ibid., 33-34; Stephens, Recollections, 277-79; ibid., 55-56.

The term at Franklin College did not begin until August. Alexander spent several weeks at home reviewing subjects in preparation for the entrance exam. Then he went back to Washington, and, accompanied by the son of one of his sponsors, he made the bumpy stage ride to Athens. Another of Webster's many friends, the Reverend Alonzo Church, then a professor and later the president of the college, provided board for him.

At ten in the morning on 2 August 1828, Alexander Stephens, carrying his Greek Testament and his copy of Virgil, arrived at the college chapel to stand for his entrance examination. The examinations were given orally and consisted of translation and parsing. Twenty-nine other hopefuls were already there, and Alexander took his place on the last row. What happened this day almost scared Stephens out of several years' growth, which, considering his skeletal appearance--he weighed seventy-four pounds--would have, no doubt, been fatal.

His review, he thought, had been sufficient. He was ready for Virgil, conversant enough with the Testament to get by. A hush fell over the room as Dr. Moses Waddell, the college president, and Rev. Church entered and assumed their imposing places before the assembly. The examination commenced, and to his horror Stephens discovered that it was Cicero. For this he was not prepared. He had been misinformed about the examination and had neglected to learn any Cicero. He thought that he might bluff his way through the orations against Cataline, which he knew but had not reviewed; but a hastily borrowed and frantically scanned text convinced him

that the passages other students were being assigned would be beyond him. He would fail. There would be not college for him, and he would be humiliated. One by one, as Stephens sweated in agonized suspense, the recitals advanced toward him. The orations against Cataline were reached and three of them gone over before his turn came. "Next!" He stood up. "On the next page," growled Dr. Waddell, "beginning with the words video duas adhuc."

Fate had landed him on the single passage in Cicero he knew well. The passage concerned capital punishment, a subject which had interested him, and he recognized it immediately as the only one in the book he knew perfectly. He read like a veritable Roman, without hesitation. Waddell pushed up his spectacles; everybody else stared. And his good luck was only compounded when he was given two words, vita and punctum, to parse. The Latin words were governed by Waddell's two favorite rules of parsing, and Stephens also performed this task faultlessly. His examiner's half-inaudible compliment was music in his ears. Stephens sat down in triumph. The afternoon session was anticlimactic: he easily disposed of his assigned passage in the Greek Testament.<sup>36</sup>

That evening at dinner with Professor Church he answered a smiling question. Yes, he had been scared. He had not expected Cicero. "But, to the best of my remembrance . . . I did not tell him that I happened to get the only passage in the book that I

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<sup>36</sup>Ibid., 56; AHS Diary, 14 May 1834, Stephens Papers, LC.

could read in style."<sup>37</sup> Indeed. Why, with the unvarnished truth, should he dim the lustre on the beginnings of a bright reputation?

Franklin College was twenty-six years old in 1828 and had been on the verge of extinction when Moses Waddell assumed the presidency in 1818. Waddell, until that time master of a large, well-known academy in South Carolina, had been educated for the ministry in Virginia, and had preached and taught in Georgia and South Carolina. He numbered among his pupils some of the most famous southern statesmen of the time: George McDuffie, William H. Crawford, and John C. Calhoun, whose sister he had married. As might be expected of a man who had once changed his place of residence rather than expose himself to the beguiling temptations of dancing, Moses Waddell was an assiduous administrator and a firm disciplinarian. Under his tutelage, both the reputation and the enrollment of the university improved dramatically.<sup>38</sup> The student body of Franklin College numbered about one hundred in 1828, up from a mere seven when Waddell arrived.

The Oconee river murmured peacefully at the bottom of the hill upon which perched the buildings which comprised the campus: the president's house, two large brick buildings known as Old and New Colleges, a chapel, a dining hall, a "two story brick building

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<sup>37</sup>E. Merton Coulter, College Life in the Old South (Athens, 1951), 34.

<sup>38</sup>A. L. Hull, A Historical Sketch of the University of Georgia (Atlanta, 1894), 34-35.

housing the grammar school. Backing up to the campus, its entrance appropriately on Front Street, was the Presbyterian church of Athens, its Doric columns and gothic windows quite in keeping with the town's many "elegant" dwellings.

The "seat of literature" had grown apace with the college. Counting the university students, Athens was home for eleven hundred people, 583 whites, the balance black.<sup>39</sup> The people were hospitable, and even though they did consider themselves a cut above the rest of Georgia in culture and refinement, "there was a genuine ease and gentility of manners" among them. As well there might be, for Athens was home for several prominent Georgia families: the Cobbs, the Lumpkins, the Doughertys, and the Claytons.<sup>40</sup> All things considered, it was an agreeable little town in which to receive one's education.

The staple of that education was New England classicism: Latin (Virgil, Cicero, Horace, Caesar) and Greek (Xenophon, Homer, and, of course, the Greek Testament) dispensed in increasingly intoxicating or nauseating doses, according to one's point of view. For variety over the four-year course, there were moral philosophy, geography, literature, composition, logic, natural philosophy, and various courses in Christianity. But even variety was mandatory. Every course was fixed, and every student had to take it. Classes for all but seniors began before breakfast.

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<sup>39</sup>Sherwood, Gazetteer of Georgia, 112-13; map of campus is in Hull, ibid., 38.

<sup>40</sup>Coulter, College Life, 211.

As if the curriculum were not stultifying enough, the students had to contend with a formidable array of rules and regulations--all enforced by roving professorial patrols. The college generously allowed a new student ten days to digest the rules before he fell within their purview. And what a purview! Heinous immoralities like fornication, duelling, robbery, blasphemy, forgery, and striking a professor were, of course, unforgiveable; their commission merited expulsion. But the law also provided penalties for innumerable other infractions: profanity, fighting, straying further than two miles from Athens (one mile on Sundays) without permission, noise-making during study hours, indulgence in cards or billiards, idleness, association with dissolute persons, uncleanliness in habits or thought, fluting or fiddling on Sunday, fighting cocks, and possessing a weapon of any sort, among others. Moreover, the students' spiritual welfare was strictly monitored and nurtured. The rules required Sunday church attendance, and prayer twice daily.<sup>41</sup>

This academic and behavioral regimen did not repel Alexander Stephens. He found it, if not completely congenial, at least palatable to his tastes. He consistently stood at the top of his class in studies. And throughout his four-year term, he never once received a demerit from either the college or the Phi Kappas, his literary society. Such a student could be expected to get along well with the faculty, and he did. But he was popular with the students, too. His room became the "resort" for a large number

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<sup>41</sup>Rabun, "Stephens," 26-30; Coulter, ibid., 59-64.



of them. There, laughter and good-natured bantering alternated with more serious conversation and with other treats like "fruit, melons, and . . . nicknacks of the season" which Stephens thoughtfully provided out of his meager means. As befitted a student for the ministry, Stephens allowed no "dissipation" in his room--no cards, no liquor, no dirty jokes. But his rectitude proved to be no obstacle to his association with all types of students from "the most dissipated" to "the most ascetically pious."<sup>42</sup> Stephens enjoyed his popularity, and here in his quarters he got to know men who would later figure importantly in his own life and in the history of Georgia and the United States--men like Howell Cobb, Phillip Clayton, John Lumpkin, James Johnson, Augustus Reese, Hershel V. Johnson, Frank Bartow, Ben Yancey.<sup>43</sup>

We can be sure that the "most dissipated" did not find membership in either of the two campus literary societies, the Phi Kappa Society or the Demosthenians, very rewarding. Membership no doubt appealed to the less frivolous, if we consider the nature of the questions these clubs debated at their secret Saturday morning meetings: questions of philosophy, history, logic, literature, current politics, and, of course, important questions of religion and morality. Should a man be forced to marry a woman he has seduced? Did God display His wisdom or His power in creation? Office in the Phi Kappa Society was the only position of honor Stephens appears to

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<sup>42</sup>Johnston and Browne, Stephens, 56-57.

<sup>43</sup>Lists of graduating classes are in Hull, University of Georgia.

have actively sought; he was twice elected president, a rare honor.

Oratory, quite as much as salt pork and fresh vegetables, was a staple in the nineteenth century southerner's diet. It was art and entertainment. It instructed and exhorted, insulted and defamed. Oratorical displays, in the grandiloquent and prolix style of the day, were also ubiquitous. Any gathering larger than ten people virtually guaranteed a speech or two. And large gatherings, like college commencements and political meetings, were occasions of elocutionary orgies.

So the up-and-coming young men of Franklin College honed their rhetorical skills every Saturday morning. There is no doubt that the frequent debates and oratorical displays these societies produced stimulated in the young Stephens an excitement and a lasting interest in argumentative discourse and philosophical disquisition over a wide range of topics. Here, too, he began to develop the skills and techniques in public speaking that were destined to make him famous as an orator. Probably Stephens' life-long interest in politics was whetted here, because a large proportion of the debates were given over to the pros and cons of national policy. Andrew Jackson, a controversial figure par excellence occupied the White House, and his audacious strokes in the capital generated no end of subjects for earnest young orators to debate. The Bank question, nullification, internal improvements at federal expense, cabinet reorganization, and Indian removal--all of these, and more,

received searching and passionate examination.<sup>44</sup>

But there were other more pressing questions which required Stephens' examination, questions he later referred to as "skeletons" in his house. Had he really received a call from God, for example, and how would it appear if he accepted charity for his schooling from the Education Society only to forego entrance into the ministry at graduation? For two years Stephens wrestled with these questions, in increasing embarrassment, anxiety, and discomfort. Finally he made his decision. He would obtain from his uncle his \$200 patrimony from his grandfather, borrow money from his brother Aaron, and cut free of the Society and of his obligation to them. His integrity and character, and a jealous regard for his reputation as an honest man allowed him no other course. His decision was not brought on by any diminution of religious feeling. On the contrary, these feelings remained strong in a quiet, serious way. But the pulpit was not his destiny.<sup>45</sup>

Stephens was graduated from Franklin College in August 1832, first in his class. All of a sudden he discovered a disquieting thing: there was much he did not know, nor did he believe that others knew very much either. This leap in logical progression was, no doubt, violative of several rules he had recently been forced to learn. No matter. He "thought the time opportune to discant a

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<sup>44</sup>On the literary societies see Coulter, College Life, 103-33; Rabun, "Stephens," 31-35.

<sup>45</sup>Johnston and Browne, Stephens, 57-59.

little upon the ignorance of the learned," and delivered the graduation salutatory on the theme of "the Imperfection of Science."<sup>46</sup>

For Alexander Stephens graduation failed to produce joy or sense of accomplishment. It only increased his melancholy because it destroyed his association with the artificial society in which he had occupied a respected and conspicuous position. Of his many close friends and acquaintances, a goodly proportion, the majority, were sons of wealthy and influential planters, the scions of southern society. But in college, wrote Stephens, "there were no distinctions but of merit. . . . By a man's talents he was measured." By this measure, which to Stephens appeared a perfectly just and natural one, he had accepted as his due the fact that he "had acquired a considerable character in the opinion of all--had extensive influence, and enjoyed the pleasure of having my judgment consulted on all subjects of importance." But now all of this was ending--all the fast friendships, all "the libraries, the gardens, the societies . . . and . . . other haunts of learning" had become mere memories, prologues to a future he viewed with pessimistic foreboding.<sup>47</sup>

He observed with wretched envy the splendid carriages and fine teams which carried off his friends "released from all restraints" to their vacations at the springs or in the mountains. He had learned another lesson in college, or rather, in his taking leave of it, and this lesson was no abstract one he could "discant a little

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<sup>46</sup>AHS to LS, 5 June 1842, Stephens Papers, MC.

<sup>47</sup>AHS Diary, 14 April 1834, Stephens Papers, LC.

upon" before a large commencement crowd. It was a very private, a very painful lesson: "it was money which regulates human society and appoints each his place."<sup>48</sup>

All the honors and esteem and respect he had earned at Franklin College weighed nothing on the only scale that mattered in human affairs. He was venturing out into the world a poor man, and the thought of it plunged him to the depths of despair. All his fame, his accomplishments, his self-esteem settled like the red dust in the road behind those fine carriages. At age twenty, with his life before him, Alexander Stephens was miserable.

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<sup>48</sup>Ibid.

## CHAPTER II

### MADE TO FIGURE IN A STORM

On the day after his graduation Stephens arrived in Madison, a little town twenty-seven miles southwest of Athens in Morgan county. While still in college, he had made arrangements with Leander A. Lewis, the headmaster of the Madison academy, to come there to assist with the teaching duties. The four months he would spend in Madison, said Stephens, were "the most miserable of my life."<sup>1</sup>

Although he found it monotonous, teaching was not what made him miserable. In fact, he was not quite sure what did bother him, but the fact that he had to teach in order to eat had a good deal to do with it. He felt constricted and hemmed in, and was keenly aware of "the power of money"--and his own lack of this source of power. The idea that he had been destined for something other than this insignificant position in this insignificant place nagged at him continually. Nor was his bitterness mollified by knowing that he was a stranger in town, and that Madison, to say the least, offered nothing approaching the intellectual stimulation he had so recently revelled in.

There was no one to share his sorrow with, so he would rise with the sun (he and Lewis were boarding together in an upstairs room

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<sup>1</sup>AHS to Richard M. Johnston, 4 November 1863, in Johnston and Browne, Stephens, 66.

at the local lawyer's house) and trudge one or two miles out of town down the Athens road. And he would weep, showing his anguish only to the bright autumn sky and the occasional rabbit or mockingbird whose attention to their own tasks would be diverted by this pale, deathly-thin young man.

To assuage his grief Stephens applied the remedy that would become habitual with him at such junctures--he threw himself completely into his work. There were some fifty-odd students at the school, a hodgepodge by any description: boys and girls, from four years old to "grown-up," at all levels of scholastic attainment. Each of the instructors had charge of about half this number. Quite often the teachers would arrive early and stay late, taking a two-hour break at noon. Young Mr. Stephens had, as might be expected, definite standards of classroom behavior, and he immediately made them known and enforced them. By an early and judicious application of the rod to the hides of potential troublemakers, students often much his superior in size and strength, Stephens soon secured perfect order in his half of the class.<sup>2</sup>

Alexander Stephens may have been many things, but a physical coward he was not. His applying the rod to these students was to be the first of many instances in his life in which he felt compelled to prove his courage. This is, perhaps, an understandable trait in a man so puny and fragile, whose character was shaped in a society that put a premium on physical prowess. But Stephens' courage, unfortunately,

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<sup>2</sup>Ibid., 67-69.

was combined with other, less laudable, qualities.

He always viewed the rest of humanity from a rather lofty perch, a position to which he firmly believed his moral attributes and mental attainments had assigned him. It became very easy, therefore, from his elevated vantage point to question everyone's motives but his own, to minimize his own shortcomings and exaggerate those of others, and to strike an irritating pose before his fellow men as a paragon of virtue and a touchstone of righteousness. In short, humility was not one of his strong points. But his lack of this virtue was magnified by yet another shortcoming--a sensitivity to slights so pronounced that it can only be described as debilitatingly obsessive.

"Oh what have I suffered from a look! What have I suffered from the tone of a remark! What have I suffered from a supposed injury!" he once wrote. Such slights as these were to him "the friction that brought out the latent fires." They forced him to prove his own worth, to demonstrate his own superiority. In a very real sense they were the wellsprings of his ambition. He had the desire neither to humiliate men, nor to hurt them. He simply wanted to compel their recognition of his own value. "My spirit of warring against the world," he explained, ". . . never had anything in it of a desire to crush or trample the vile crew but only a desire to get above them, to excel them, to enjoy the gratification of seeing them feel that they were wrong. I never had any desire to punish them for their follies but only to command their admiration for my own superior virtues. This is the extent of my ambition."<sup>3</sup> Doubtless, many of the "vile crew" discerned in such

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<sup>3</sup>AHS to LS, 3 February 1851, Stephens Papers, MC.



an attitude only an overweening and infuriating pride.

What caused this crippling sensitivity? It was a combination of factors. In the first place, his appearance was disturbingly arresting, if not freakish. He had rather long legs but was of average height, five foot seven, but so thin that he was almost a skeleton. Well into his life he would be mistaken for a child by people younger than he was-- "a boyish invalid escaped from some hospital" one observer wrote. Observers never failed to remark the pallor of his skin: it was like a corpse's "glued to his frame." His head was small,<sup>4</sup> and his slightly oversized ears protruded a little. He never wore a beard in a hirsute age, and the lines of his oval face were soft rather than angular. His ashen countenance was dominated by a pair of blazing black eyes, wideset between a thin, sharp nose. His lips were also thin, pale and downward turning at the corners. Stephens was painfully conscious of the way he looked: "a malformed ill shaped half finished thing," he once described himself.<sup>5</sup> He was conscious, too, of his origins, and though they would later become a source of pride (and a political asset he unblushingly flaunted), in his early life he writhed under the tortures of social inferiority in a society exquisitely class conscious.

So Stephens took refuge from himself in his pride. He developed and nurtured within himself a self-image that cancelled considerations

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<sup>4</sup>Speech delivered at Strafford, Connecticut, October 1875, by Justin Morrill, ms. in the Justin Morrill Papers, LC.

<sup>5</sup>AHS to LS, 30 June 1838, Stephens Papers, MC.

of poverty, of ill health, of physical ugliness. And he spent the rest of his life projecting this image to the world.

But for all this, Stephens was not a hateful or spiteful person, nor was he misanthropic. Proud he might be, but cruel and cynical he was not. Because he himself suffered much, his heart bled for the sufferings of others. He was a man literally famous for his charity and generosity. For the poor, the sick, the unfortunate, and the disadvantaged he always felt a special and touching empathy.<sup>6</sup> Although he could be insensitive and vain on occasion, he yet had a capacity for love that endeared him to his friends and family.

Moreover, for all his consciousness of superiority and his pride, he knew that ultimately it would avail him nothing. For his pride was tempered by an acute awareness that, however he might disdain mankind at times, its fate was his own. "Days come and go upon the stream of time like bubbles upon the surface of the running brook," he wrote,

And what too are we but bubbles of another sort . . . soon to burst, without leaving one trace behind. . . . Such . . . is man's character and destiny. The only difference between them is that some become more inflated and require larger dimensions, only however to encircle a larger degree of vanity and emptiness.-- And what is wealth, and honor, glory and fame!<sup>7</sup>

Such ruminations were common with Stephens, and it is only in conjunction with them that his pride and overdeveloped vanity should

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<sup>6</sup>See, for example, the many tributes to his charity and kindness in I. W. Avery, In Memory: The Last Sickness, Death, and Funeral Obsequies of Alexander H. Stephens, Governor of Georgia (Atlanta, 1883).

<sup>7</sup>AHS to LS, 2 February 1845, Stephens Papers, MC.

be judged. The grave and its finality tortured him, but to expose this inner misery to any but Linton was unthinkable. A man was under no obligation to do this--indeed, he was obliged to put on as cheerful a face to the world as possible. To do otherwise, he thought, would be like exhibiting a sore.<sup>8</sup>

So Stephens went through life a profoundly lonely man, hiding "the spirits preying upon [his] heart," trying to appear as happy as possible to people "so as not to give them pain by sympathy." He was never really happy, never really able to accept the world and human beings as they were. But at the same time he was unable to envision it as capable of improvement in anything but its material aspects. In an age of ebullient optimism for the economic, social, and moral improvement of mankind, Stephens was a medieval conservative down to the marrow of his bones.

But he could not hate the world either. His feelings did not comport with his philosophical convictions, and the juxtaposition of the two resulted in a raging contradiction in his character. The very same man who could say, "I find no unison of feelings, tastes and sentiments with the world. The mass of mankind are low, groveling, selfish and mean,"<sup>9</sup> could also describe himself as being of "tender mould" and declare that "the only thing approximating happiness I ever felt was in seeing other people happy, and in trying to render

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<sup>8</sup>Ibid., 24 December 1854.

<sup>9</sup>Ibid.

them happy."<sup>10</sup> The contention in his soul between these two elements was constant, and Stephens described it in sinister terms: "Sometimes my evil genius like Jobs comforters jeers and taunts my milk of human kindness, casts scorn upon my good nature, bids me turn cynick . . . become man hater. . . . Oh the fiendish grins of the tempting imp!"<sup>11</sup>

The imp was ever present in Stephens, a malevolent, grinning, cackling ghoul in the corridors of his psyche. But he never succeeded in gaining his object, in capturing the spirit of Alexander Stephens. He may have won a scattered skirmish here and there, but he never carried the field. Stephens might deprecate the weaknesses of men; he might be haughty and condescending to them at times. But he never could completely forsake them or lose hope for them. He was too conscious of the evil lurking unseen in himself for that. Deep down he knew he was like everyone else. He was one of them.

"It was during these four months in Madison that Stephens' loneliness was poignantly brought home to him. He fell in love. The "young girl lovely in both person and character" was one of his students. She flits briefly, silently through his story, unknown, except for the conventional characterization above. She never knew how Stephens felt about her. Too shy, too sick, too poor, and too proud, Stephens kept silent--neither she nor anyone else, save one or two of his closest friends, ever learned of his private and unrequited love.

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<sup>10</sup>AHS Diary, 19 April 1834, Stephens Papers, LC; AHS to LS, 31 July 1857, ibid.

<sup>11</sup>AHS to LS, 3 February 1851, ibid.

Perhaps she was one of the reasons he left his first teaching job. There were others. The work at the academy was demanding, and it taxed the physical endurance of one so frail. And Stephens was ill. He had begun to experience frequent headaches, violently painful ones, no doubt psychosomatic in origin. So on a chilly November night in 1834, Stephens climbed into a buggy with his brother Aaron for the ride to Raytown. That night, as the buggy bumped him through the darkness and into his future, Stephens suffered a blinding headache.<sup>12</sup>

But there would be no time for recuperation. He went almost immediately down to Liberty county in the southeastern section of the state, near Sunbury. The Midland District it was called, and it was peopled by a pious and temperate breed of men. Stephens went there to fulfill an engagement he had made with one of his college roommates, to serve as tutor to the children of Dr. Louis LeConte. He would live at Woodmanston, his patron's plantation.

He had thirteen pupils in all, some of the LeContes' neighbors' children being included in his classes. The year Stephens spent here was to be one of the quietest of his life. The surroundings were certainly different from what he was use to. This was low, sandy country, flat and damp, only fifteen miles from the coast. There were few settlements, and what ones there were were off the beaten track. The pace of life was languid, much less hectic than before. Both the pay, five hundred dollars a year, and the company--the

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<sup>12</sup>Johnston and Browne, Stephens, 69.

LeContes were cultivated and intelligent people--were good.

From all indications Stephens enjoyed the year he spent in Liberty county. His health was not much improved by the change of location, but his gloom lifted a little. His association with the LeContes was intellectually stimulating, and he enjoyed his students, too. One of them always remembered with fondness how Stephens would strip off his coat and play baseball with them, laughing till his sides shook when by some miracle he managed to make "a good strike." He remembered also his tutor's "utter detestation of lying, deceit, and meanness of every kind . . . [and] the sense of self-respect and honor" he attempted to cultivate in his students.<sup>13</sup>

But Stephens' own sense of self-respect and honor were not being served by teaching. After a year at Woodmanston, and despite the fabulous inducement LeConte offered him to stay--\$1,500 a year--he decided to give up teaching altogether. "My health had failed," he explained. "The sedentary life did not suit me." By now, a year and a half since graduation, he had saved enough money to begin the study of law. So in January, 1834, he returned to middle Georgia. His original plan was to read law in the office of a well-known

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<sup>13</sup>Charles Lanman, Haphazard Personalities Chiefly of Noted Americans (Boston, 1885), 354; William Dallam Armes, ed., Autobiography of Joseph LeConte (New York, 1903), 32-33; Von Abele, Stephens, 48-49. Stephens later remembered Louis LeConte as "the most learned and intellectual man" he had ever met with. Quoted in Rabun, "Stephens," 45. Both of LeConte's sons, Joseph and John, were destined to eminent careers in science, one in geology, the other in physics.

attorney, Gray Chandler, of Warrenton. But for some unknown reason he became dissatisfied there and left. He spent the next two months wandering around in Talbot, Upson, and Harris counties in western Georgia, visiting relatives of his stepmother, in the vain hope that travel might improve his health. It was during these ramblings that Alexander first took an interest in his half-brother, Linton, who had been only three years old when the family broke up in 1826. Linton was now growing up into a mild and studious lad, and the two were immediately drawn to each other. Thus was begun an attachment that would last almost forty years.<sup>14</sup>

Stephens finally settled down in familiar territory, Crawfordville, his boyhood home. The town had been incorporated in 1826, one year after the county of Taliaferro, of which it was the county seat, had been formed out of pieces carved from five surrounding counties. It had a tavern, of course, a jail, and two churches. But aside from the courthouse, there was not much else there to distinguish Crawfordville from the nearby villages of Greensboro, Powelton, and Lexington.<sup>15</sup> It was a crude, new place, home for three or four hundred people. Its modest boomtime, when the Georgia Railroad would lay its tracks through the center of town, was still a few years in the future. But even then its homes (there were less than thirty in

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<sup>14</sup>Rabun, ibid., 46.

<sup>15</sup>Sherwood, Gazetteer of the State of Georgia, 158. A concise history of the county is in Norwood, Liberty Hall, 2-7.

1834) would never equal the splendor of those in Washington, twenty miles to the northeast. Little did Stephens realize in April 1834, that he himself would put this little town on the map. And to this day the fact that it was Stephens' home is the town's only claim to attention.

It cost him twenty-five dollars to get himself set up for the study of law. The town's only lawyer, Swepston C. Jeffries, was giving up his practice in town and sold the young aspirant copies of the basic works he still had: Blackstone's Commentaries, Starkie's Evidence, Maddox's Chancery, Comyn's Digest, and Chitty's Pleadings, among others. By day Stephens pored over these books in a small room on the second floor of the courthouse, a room provided by the county sheriff in exchange for free legal advice from Stephens on his duties. He worked alone, and, to familiarize himself with Georgia's legal forms, assisted the court clerk, Quinea O'Neal, with his duties in the adjoining room. At the end of his day Stephens would walk the few hundred yards to the home of Williamson Bird. Bird was a successful planter--in fact, he now owned the land that once belonged to Stephens' father--in addition to being a Methodist minister. Sometimes, just for variety, Stephens would accompany the children home from school and spend the evening out at Cousin Sabra's, Mrs. Sabrina Ray, who lived just out of town.<sup>16</sup>

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<sup>16</sup>Henry Cleveland, Alexander H. Stephens, in Public and Private. With Letters and Speeches, Before, During, and Since the War (Philadelphia, 1866), 42; Johnston and Browne, Stephens, 72. Williamson Bird was also related to Stephens by marriage, being the brother-in-law of his stepmother. The Birds occupied the house which Stephens later purchased in 1845 and which became famous as "Liberty Hall." On the Birds, see Norwood, ibid., 49-56.



The spring and early summer days settled into a pattern: study, home to read the newspapers, for which he confessed "a passionate fondness" (his favorite was the Milledgeville Southern Recorder), conversation with the Birds, an entry in his journal, and back in the morning to his courthouse room. The pace was slow, and left plenty of time for brooding. And brood Stephens did: about his future, about the poor, ignorant, and uninformed specimens of humanity he met with in Crawfordville and how they wasted his time by interrupting his studies and staying for hours, about his low station in the social hierarchy, and about his burning desire to improve it. But at the same time he criticized others, he was, despite his own accomplishments, unsure of himself. "My feelings and hopes seem ever to be vibrating and vassalating between assurance and despondancy," he sighed.<sup>17</sup>

The sleepy environment of Crawfordville did not encourage a positive outlook on his future. He found it "a dry place" and "the common vulgar" he was forced to associate with were not "a society congenial to [his] feelings." His ambition, an "inward flame . . . a desire not [to] stop short of the highest places of distinction" was gnawing at him daily like some voracious boreworm in his flesh. "I must be the most restless, miserable, ambitious soul that ever lived," he concluded unhappily.

And as usual, he was lonely. He felt "unlinked to human society"--not because he hated men, though. On the contrary, he loved his friends and cherished any kindness shown him. His heart,

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<sup>17</sup>AHS Diary, 2 May 1834, Stephens Papers, LC.

he said, was "warm affection" easily moved to sympathy. Still he could not help but feel himself different from the ordinary men he observed about him, men seemingly so content with their humdrum, obscure, quotidian lives. "I have an independence," he wrote fiercely, "extending to criminality and an amb[i]tion towering as thought."<sup>18</sup>

Towering also was the height from which he observed the conduct of the simple country folk of Crawfordville. Conduct he was not accustomed to seeing in the rarefied atmosphere at Woodmanston disgusted him. The atmosphere at Crawfordville was "polluted," he declared, and on the basis of his extremely limited experience in such matters, he pronounced that "sensuality and sexuality are the moving principles of Mankind." He longed for association with a "mind that soars above the infirmities and corruptions of human nature, that lives and moves . . . in the pure element of truth." Minds that fit this description are rare in any locale except, perhaps, in a cloister, and Stephens' cloistered college days, days of sitting around and contemplating the eternal verities, were swiftly fading into his past.

To a person who had spent almost his entire life with godly men, the diversions of ordinary people were "revolting . . . sickening

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<sup>18</sup>Ibid., entries of 12 May, 9 June 1834. Stephens' loneliness was sometimes pathetic. It may be that it was in large measure self-imposed but it was no less real for that. Was he thinking about the ideal wife when he wrote: "I do wish I had an associate, a bosom confident, an equal in every degree neither above or below--whose tastes, and views were similar to my own, and whose business and pursuitt [sic] was the same. With such a one I could live and learn & be happy. But as it is I sit in my room from morn till night nor see nor converse with anybody." Ibid., 6 June 1834.

. . . killing to my soul." How was it possible, he marvelled, that "beings . . . possessing . . . all the faculties of an IMMORTAL Mind" should spend their nights "hopping and skipping . . . to an old shreaking fiddle like drunken apes--or longing [sic] about a grog shop from morn to eve?" But, he sighed, one should not let his feelings run away with him in such matters. The "error is in nature," he observed philosophically, "--it must be pitied, not blamed." And then, with unintended self-revelation, added, "Perhaps I may appear as objectionable and odious to others as others to me."<sup>19</sup>

Such moments of insight were generally rare to Stephens during this stage of his life. He complained mostly about others, but he sometimes had "a most contemptible contemptuous opinion" of himself, too. What caused this unusual sentiment for Stephens was the thought that he would "never be worth anything." And this thought was "death to his soul."<sup>20</sup>

Why was this thought so vexing to Stephens? Because Crawfordville was a "dull" place, and to fail to distinguish himself from its inhabitants was to forever be identified with what he despised. This is why "the ragings of ambition" within him were like a "volcano," why his ambition was "an aching aspiring thirst . . . indescribable [sic] . . . insatiable."<sup>21</sup> Parched as sorely as Tantalus in his hunger and thirst for recognition, Stephens did not even have the

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<sup>19</sup>Ibid., 23 May 1834.

<sup>20</sup>Ibid., 7 June 1834.

<sup>21</sup>Ibid., 7, 9 June 1834.

consolation of knowing that he had chosen the right line of work to vault him into the prominence he so desperately craved. Occasionally Stephens proved to be an accurate prophet. It was one of these times when he wrote: "I was made to figure in a storm, excited by continual collisions--Discussion and argument are my delight . . . I long to be where I will have an argument daily."<sup>22</sup>

With such aspirations, it is not surprising that Stephens found himself drawn irresistibly to law and to its especially American adjunct, politics. Until this time his recorded political opinions were few. In the latter part of 1833 he had written disapprovingly of the gubernatorial triumph of Georgia's pro-Jackson party, the Union party, as it was then called. This disapproval was only natural in a Taliaferro county resident. The county was located in an area where the Troup party, the Jacksonians' opponents, were almost unopposed. But in his journal he had expressed at least a qualified approval of Andrew Jackson--condemning his Force Bill, which threatened the use of force against South Carolina during the nullification crisis, but admiring his removal of deposits from the Bank of the United States, "a reptile," said Stephens, that deserved to be choked to death. As far as economic matters were concerned, he favored expansion of the developing railroad network--the subject was being much discussed at the time--largely because the possibility of travelling behind steam cars "with the safe and rapid flight of 15 miles an . . . hour" was "stupendous."<sup>23</sup>

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<sup>22</sup>Ibid., 7 June 1834.

<sup>23</sup>AHS to A. W. Grier, 3 December 1833, Stephens Papers, LC; AHS Diary, 8 May, 3 June 1834, Stephens Papers, LC.

It was with alacrity, then, that Stephens responded to the urgings of Dr. Thomas Foster, the town physician, and consented to deliver the annual Fourth of July address in Crawfordville. But it was not without difficulty that Stephens hammered the speech into the shape he wanted it. It went through three drafts, the last not finished until the third of July, before it satisfied him. The speech he delivered the next day was typical of Independence Day orations of the time in some ways--untypical in others. There were, of course, the usual paeans to the Founding Fathers, republicanism, democracy, and liberty. But Stephens took the occasion to deliver also a lecture on state rights and the correct interpretation of the Federal Constitution. The contest for supremacy in the Federal government, he said, was between "power on the one side, and right on the other." The idea that Congress had any right to coerce a sovereign state was absurd. Georgians must choose, he said in conclusion, to obey the true sovereign, "the General Government" or that of "your own beloved Georgia."<sup>24</sup>

Further political declamation was soon the last thing on Stephens' mind, for the date of his bar examination, 22 July, was close at hand. Actually he had not been the most diligent student. In between sessions with his law books he had managed to fritter away

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<sup>24</sup>Alexander H. Stephens, A Speech Delivered in Crawfordville, on the Fourth of July, 1834 (Augusta, Georgia, 1864). Johnston and Browne claimed in 1878 that the manuscript of this address still existed, but it has since disappeared. Johnston and Browne, Stephens, 87. The speech was printed during the height of Stephens' controversy with the Davis administration, and it strikes the reader as a bit self-serving since it presents Stephens as holding opinions fully developed in 1834 which he held thirty years later. It is unusual that there is no mention in the address of nullification, Andrew Jackson, or South Carolina. However the Force Bill is alluded to. See Rabun, "Stephens," 52 and n.

a lot of time (another one of the things that bothered his conscience and made him feel "contemptuous" of himself). Now, in the few days he had left to prepare, Stephens was forced to cram. The closer the fateful day approached, the harder he studied, and the night before his examination he hardly slept. He remembered only too well what his special preparations for college had been.

Anxious and agitated, he arrived at the courthouse promptly at eight the next morning. The eminence of the examining committee was enough to quail the most self-confident of aspirants. Presiding over what turned out to be his last candidate's examination was Judge William H. Crawford, former cabinet member and presidential candidate. The other three members were only slightly less distinguished: William C. Dawson, a prominent member of the bar and future United States senator; Daniel Chandler, the Solicitor General; and Joseph Henry Lumpkin, brother of Georgia's governor, future Chief Justice of the state Supreme Court, and one of Georgia's most renowned attorneys. Also in attendance was a crowd of Stephens' old classmates, neighbors and friends of his father, members of the Crawfordville courthouse gang, and a host of strangers--lawyers and litigants in town for the court session. Among the latter was a dark-eyed, bushy-maned young Washington lawyer, Robert Toombs.

Stephens need not have worried. He sailed easily through the oral examination, missing but a single question. All of his examiners, he was careful to note, were complimentary, particularly Lumpkin, who thought Stephens' was the best examination he had ever heard. Stephens, aged twenty-two, was admitted to the bar. A "great burthen of

an[x]iety," he wrote, had been lifted from him.<sup>25</sup>

For all of the disparaging things he had said about Crawfordville, Stephens was loath to leave the place. The familiar haunts of his childhood exerted a more potent attraction than did Swepston Jeffries' offer--a full partnership and a fifteen-hundred dollar a year guarantee if Stephens would accompany him to Columbus at the other end of the state. Money might mean power, as the new lawyer certainly realized, but Crawfordville was home--and no price could be put on this. Even if practice there yielded only one hundred dollars a year, thought Stephens, it would be better than five thousand dollars somewhere else.<sup>26</sup>

The bulk of the legal practice in Georgia, as throughout the South, in the 1830s was transacted in the circuit courts of agricultural counties. Litigation, with rare exceptions, dealt with land or slaves, estate settlements, or debt collection. The state was divided into ten circuits, each administered by a single-judge superior court. Inferior courts had five judges. (Georgia did not have a supreme court until 1845.) Court sessions, which lasted five days twice a year, took place one after the other in the county seats

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<sup>25</sup>Stephens, Recollections, 362-65; AHS Diary, 22 July 1834, Stephens Papers, LC.

<sup>26</sup>Johnston and Browne, Stephens, 90; Cleveland, Stephens, 43. Two days after admission to the bar, Stephens got his first engagement as a lawyer--at a contingent fee of \$180. Crawfordville, it turned out, would provide him with a comfortable living. AHS Diary, 24 July 1834, Stephens Papers, LC. In his first year of practice Stephens made four hundred dollars. Cleveland, Stephens, 44.

of each circuit. Stephens practiced in the northern circuit: the counties of Wilkes, Greene, Elbert, Franklin, Columbia, and Oglethorpe. He was fortunate to be in this circuit because it was far and away the most illustrious in the state, containing outstanding lawyers and the state's sharpest politicians: Charles Jenkins, George Crawford, and Andrew Miller of Richmond, for example; Howell Cobb of Clarke; George Gilmer and Joseph Lumpkin of Oglethorpe; Garnett Andrews, James Thomas, Francis Cone, William Dawson, Robert Toombs, and others. The nature of the work threw these members of the legal profession into close contact with each other. Friendships, not to mention enmities, formed in the village taverns and hotels on the circuit often lasted for years.<sup>27</sup>

Stephens formed such a friendship on his first trip to a circuit court, a trip remarkable for nothing other than the fact that he rode on a borrowed horse and had to change into his only presentable suit of clothes in the bushes before riding into town. Stephens had been a lawyer for a week when he made the acquaintance of Robert Toombs in Washington court. The professional connection thus formed soon blossomed into a fast friendship between the two. With one or two exceptions, it was to be the closest friendship of Stephens' life.<sup>28</sup>

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<sup>27</sup>Pleasant A. Stovall, Robert Toombs: Statesman, Speaker, Soldier, Sage . . . (New York, 1892), 15-16; Von Abele, Stephens, 55.

<sup>28</sup>Details of Toombs' early life in William Y. Thompson, Robert Toombs of Georgia (Baton Rouge, 1966), 3-12. Thompson's is the latest biography of Toombs. The best is still Ulrich Bonner Phillips, Life of Robert Toombs (New York, 1913). Also useful for a study of Toombs' character is Stovall, supra.



Toombs was two years older than Stephens. He was born the fifth son of a well-to-do planter in Wilkes county in 1810. Utterly contemptuous of all authority, Toombs had been expelled from Franklin College after a series of serious infractions of the rules, including swearing and attacking a pair of fellow students with a club and pistol. He went on to graduate at Union College in Schenectady, New York, and then he spent a year at Virginia Law School, leaving there before obtaining a degree. He had been a practicing lawyer for four years when he met Stephens.

The relationship between these two men proves the old saw that opposites attract. Toombs was everything that Stephens was not. A big man, strong and healthy, his huge head elegantly topped with great shocks of dark brown hair, Toombs was gregarious, impulsive, quick-tongued, passionate, and rich. He was a man who grabbed life with both hands and roared in its face if it dared to protest. Boisterous, profane, and given to intemperance--he had an enduring fondness for alcohol in just about any of its alluring manifestations--Toombs was as skeptical of religion as Stephens was pious, as convivial and hearty as Stephens was morose and introspective, and he was as given to melancholy as Bacchus himself.

Bob Toombs, in short, would seem to be the last man on earth to be compatible with Stephens. But it so happened that their characters formed an almost perfect mesh. They were opposing--yet complimentary--life forces. That was Stephens and Toombs. The one imperious, domineering, and outgoing; the other controlled, introspective, and studious. Their relationship, both political and personal, became

a legend. Other than his wife, upon whom Toombs bestowed a solicitous and gentle affection that belied his gruff, blustery exterior, Stephens was the only person in the world capable of influencing Bob Toombs. Their disagreements for over forty years could be numbered on one hand. Toombs, wrote a sensitive observer, "loved Alexander H. Stephens with a tenderness that was almost pathetic and was as much beloved by him . . . and, in all matters of importance, Mr. Toombs came up, in the end, on Mr. Stephens's side."<sup>29</sup>

Like his friend Toombs, Stephens was a good lawyer. By the early 1840s the two were unquestionably the best lawyers on the northern circuit. The way that the system operated--there was no appeal from a superior court judgment--placed a high premium on the obtaining of jury verdicts. This in turn required of advocates before the bar eloquence and persuasiveness. And these qualities Stephens possessed in abundance. For the most part, his manner was to convince juries by logical exposition of the principles involved in the case. These he quickly grasped. But Stephens was a powerful advocate because he knew just when to apply the other tools of his trade. He could be fiery and passionate when the occasion demanded, employing satire or evoking sympathy for his client to sway the emotions of bench and jury alike.

By all accounts Stephens was an arresting and compelling public speaker. His voice was the first thing to strike a listener. It was

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<sup>29</sup>Varina Howell Davis, Jefferson Davis, Ex-President of the Confederate States of America: A Memoir by His Wife, 2 vols. (New York, 1890), I, 410-11.

high-pitched, almost feminine, and when Stephens was in top form, he could play it like a lyre. Now low and soft in a conversational "let us reason together" tone, now loud, piercing, and penetrating, with words and phrases being propelled at the audience like rivets. Nor was his voice Stephens' most effective tool as an orator. He had one even better, an uncanny ability to gauge the quality and temper of an audience and to adjust his manner and argument accordingly. Whereever he spoke--on the stump, in a courtroom, or on the floor of Congress--Stephens commanded undivided attention.<sup>30</sup>

How much income Stephens derived from his law practice is difficult to say. Richard Johnston, who was admitted to the bar in 1843, says that three or four thousand dollars a year was a "large" income for a lawyer. In short, a man would not get rich practicing law. Large fees were the exception rather than the rule: the wealthiest planters, to avoid the hassles and delays an appeal to law entailed, resorted most often to out-of-court arbitration by mutual friends. But the less prominent had no such conveniences, and the legal business was a steady one at least, not subject to the vicissitudes of the season like planting. And city practice kept a good lawyer busy. "Nearly every citizen of prominence in town," wrote a Columbus lawyer,

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<sup>30</sup>Richard Malcolm Johnston, Autobiography of Col. Richard Malcolm Johnston (Washington, 1900), 113, 142-43. Witnesses never failed to remark Stephens' manner of speaking, and almost all attested to the attention a Stephens' speech compelled. Even foreigners who understood not a word of English were mesmerized by Stephens' oratory. New York Tribune, 15 February 1859, quoted in Rabun, "Stephens," 595.

"was a defendant in one or more suits."<sup>31</sup> It is quite possible that the practice of a superior lawyer like Stephens yielded him more than the normal revenue.

However, these prosperous days were still in the future in the hot summer months of July and August, 1834. So little business was finding its way to his courthouse office that Stephens began to think about moving west to Alabama or Mississippi. The entire month of August netted him one promissory note for the magnificent sum of twenty-five dollars. And the first hard cash he received for his services--literally, for it was four silver half-dollars--was for speaking in court for one James Farmer on 1 September. Other than drawing up a few legal documents, Stephens had accomplished nothing as a lawyer. He certainly did not lack the time to write inquiring letters to friends in newer portions of the state. Was there perhaps a future for a sharp young lawyer out there?<sup>32</sup>

Then came a break. On 10 September, the same day that Stephens purchased his first horse--he could stand the embarrassment of borrowing one no longer--a man by the name of James Hilsman came to the office and employed his services. Hilsman was a ne'er-do-well, a besotted drifter, but he needed a lawyer and promised to pay twenty dollars. Stephens, upon hearing his story, took the case.

The story was this: Hilsman's wife, nee Amanda Askew, had

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<sup>31</sup>Johnston, ibid., 103; "Autobiography of R. J. Moses," type-script copy in SHC/NC, 42.

<sup>32</sup>AHS to LS, 20 August 1834, Stephens Papers, MC; AHS Diary, 7 September 1834, ibid., LC; James W. Esby to AHS, 27 September 1834, ibid.

been a widow when he married her. Her first husband, a man named Uriah Battle, had died shortly after the birth of a daughter. Battle's father, a wealthy Hancock county planter, immediately took out letters of guardianship on the person and property of the infant. Then Hilsman staggered into the picture and married Amanda. Naturally, the elder Battle could not look upon this turn of events with equanimity, and on the basis of his letters of guardianship he had the child seized from its mother and carried to his home. Hilsman then appealed to the law to recover the custody of his wife's child.

The case excited an extraordinary amount of interest in Taliaferro and the surrounding counties. The Battles were an extended and influential family. Public opinion overwhelmingly sympathized with them and their side of the case. When the case finally went to trial, a large crowd of area citizens, some of them from twenty or thirty miles off (for that time what amounted to a whole day's journey), was on hand.

The Battles' lawyer was none other than Swepston Jeffries, Stephens' mentor and a highly regarded attorney. But it was the younger lawyer who would prevail that day.

Although he was unknown to nine-tenths of the courtroom crowd, the pale, trembling, and ghastly-thin young man with the piping voice soon transfixed them with his eloquence. His theme was the sanctity of motherhood, the law of nature that required even forest brutes to fight to the death for the safety of their offspring. By the time he had finished, most of the courtroom, we are told, including the five

judges were in tears. Forgotten was Hilsman, the good-for-nothing drifter; forgotten were the Battles' fortune and reputation, the wherewithall to provide splendidly for the child's upbringing. Battle's letters were set aside. The mother regained custody of her child, and the case made Stephens' reputation.<sup>33</sup>

Evidently, though, this reputation did not grow fast enough to suit him, for he continued to investigate the possibilities of moving out of Crawfordville. His interest in politics was steadily growing, and for a while he toyed with the idea of going into newspaper work, writing A. B. Longstreet of the Augusta State Rights Sentinel about possible openings. But, restless as he was, Stephens by this time had become too attached to Crawfordville seriously to consider leaving it. It was about this time that Jeffries made him the offer of full partnership in Columbus. He refused. He now had set his heart not only on staying, but also on buying back his father's old property when the opportunity arose. The "hooks of steel," as he later called them, that bound him to Crawfordville were already firmly embedded after only a few months in his childhood home.<sup>34</sup>

It was now 1835 and Stephens was making a living. Business

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<sup>33</sup>Johnston and Browne, Stephens, 95-97. Rabun, "Stephens," 58n., points out that the triumph in the Battle case was not as complete as the later telling of it made it seem. The judge decided to let the little girl spend two weeks out of every three with her mother.

<sup>34</sup>Ibid., 59; "That old homestead and the quiet lot, Liberty Hall, in Crawfordville, sterile and desolate as they may seem to others, are bound to me by associations tender as heartstrings and strong as hooks of steel." Stephens, Recollections, 139.

was not breaking down his door, but he was getting more cases and from a wider area, too. Still the young lawyer was restive. To allay this unrest (and perhaps to convince himself once and for all that he had made the right choice by remaining in Crawfordville), Stephens in the company of a small party of friends undertook in March a horse-back journey to the comparatively wild, but rapidly developing, western part of the state and across the border into Alabama.

The Alabama part of the trip took the party through Creek Indian territory, and one night the travellers enjoyed the hospitality of a Creek chief and his family. If we are to believe Stephens, he was barely able to sleep that night for contemplating the Indians' "sunk and degraded condition," a condition brought on, he thought sadly, by contact with the white man. Of course, the fact that the bedsteads were slightly degraded too--"having, instead of cords, boards laid across their sides, over which were thrown some blankets"--may have had something to do with his temporary insomnia.

The Creeks, Stephens decided, were certainly more noble than the "heterogeneous mass of irregular and confused material" which comprised the population of Alabama. Finding there "no uniformity of character . . . and . . . all varieties of morals, dispositions, tempers, and conditions of life,"<sup>35</sup> Stephens decided something he had probably known all along. He would rather stay in Georgia.

Evidently this trip had given him a taste for travel, for

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<sup>35</sup>AHS Diary, 25 May 1835, Stephens Papers, LC.

within a short time<sup>36</sup> he was off again--this time to the North on the pretext of investigating two pension claims. He departed in May by stage from Milledgeville, Georgia's state capital. Before he left, he viewed the legislature. Georgians, presumably, would fare better in Stephens' opinion than had the Alabamians. Not so--at least as far as the servants of the people were concerned. Stephens' reaction to the sight of the gothic State House was negative: a "Hall of eloquence, corruption, treachery and bribery," he sniffed.<sup>37</sup>

Two years later Stephens wrote a full account of his first trip to Washington, and the document presents several interesting insights into his character at the time. His political opinions--and politics was beginning to interest him intensely--were already of a decidedly Whiggish hue, but like the good Jeffersonian he never tired of claiming he was, he was categorical in his condemnation of the interstate slave trade, "that abominable, inhuman traffic which is now so common in this misnamed land of Liberty."<sup>38</sup> In 1835 at least, Stephens was yet to discern, much less accept, the "positive good" of the institution he would later proclaim the cornerstone of a glorious Southern civilization.

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<sup>36</sup>It is not possible to fix with accuracy the exact dates of this journey to the north. The entries in Stephens' journal were becoming quite erratic at this time. The account of this trip, for example, he did not record until a year and a half later.

<sup>37</sup>Rabun, "Stephens," 59; AHS Diary, 27 May 1835, Stephens Papers, LC.

<sup>38</sup>Ibid., 7 October 1835.



He was still painfully self-conscious of his own poverty, or what he interpreted as poverty. Two of the passengers who shared the coach on part of the eight-day trip were "Jas H. Shorter and Lady, from Columbus, Georgia." These were persons whom Stephens knew only by reputation, a reputation "of affluence . . . and of families of no little aristocratic feeling." Stephens felt conspicuously common in their sight. Knowing that he was travelling "with every sixpence of expense almost estimated before leaving," he speculated unkindly that this "lordling nabob" was journeying "as much [for] show . . . and splendor as pleasure and health." It was uncomfortable, this feeling of inferiority, and Stephens had often tried to rid himself of it--no doubt in his usual fashion: congratulating himself on his own superior virtues--but "in such circumstances," under the very gaze of his social betters, he found it impossible. Fortunately, this time the inner pang lasted but a moment, and he was soon engaged in pleasant conversation with the Shorters. By the time they disembarked, he had come to think highly of them.<sup>39</sup>

It should come as no surprise that Stephens' first glimpse of the white marble of the Capitol in Washington elicited from him the following: "An appearance too much like that of the whited walls of the sepulcher, fair and white without, but within I fear full of rottenness & corruption." But the next day the "sepulcher" was the first stop on the agenda, and the Georgia tourist was "dazzeled" and "astounded" by the magnificence he saw.

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<sup>39</sup>Ibid., 5 January 1837.

Nor did his fear of finding rottenness and corruption keep him from visiting both houses of the Congress. From his seat in the gallery of the House, he dutifully listened to speeches by John Quincy Adams, James H. Hammond, Henry Wise, and several others. He was disappointed--neither the oratory, nor the order, nor the decorum there was much to his liking. "There is too much attention paid to rant & cant in our country in this age," he decided, "we are on the line of degeneracy, very little [sic] talent in the House."

The rant and cant in the Senate pleased him much better. The upper chamber "was dignified." Awed by the sight of so many famous men--Calhoun, Van Buren, Hugh Lawson White, William C. Rives (only Clay was missing)--Stephens likened them to "lions" lordly and magnificent in their contempt for "the chattering, fuss and noise incessantly made by the little tribe of monkey[s], apes, [and] baboons around them." Webster, Stephens decided, was his favorite lion.<sup>40</sup>

Congress having been inspected, private citizen Stephens paid a visit to the President of the United States. The way this was done in the United States of 1835 strikes the modern American, so accustomed to an unapproachable President insulated from the people by myriad layers of minor functionaries and countless security agents, as almost unbelievable. Stephens simply went to the White House and asked to speak to Andrew Jackson. After a short wait, he was shown into a large room. The Old Hero, dressed in a "rather dirty" ruffled shirt

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<sup>40</sup>Ibid.

and loose slippers, was seated by a coal fire at the end of a long table piled high with papers and packages. Motioning Stephens around to a seat beside him at the fire, Jackson inquired of the news from Georgia. Nothing more than a few Indian disturbances on the western frontier which had broken out just before his departure, Stephens replied innocently.

"What in the name of God is Howard<sup>41</sup> doing?" exploded the President. (He knew of these disturbances all right. He had received dispatches that the mail stages were being robbed and U. S. citizens were being killed by the vile savages. Now this young Georgian had reminded him of it again.) The report of unruly Indians kept Jackson going "perhaps twenty minutes . . . in the same energetic strain," reported an awed and slightly scandalized Stephens, "hardly using a sentence without 'by God' or 'by the eternal' or 'in the name of God.'"

When the "talk" was over, Stephens, like many others who had experienced Andrew Jackson up close, was impressed. He thought that he was a lot better looking than the Whig caricatures which he had been used to seeing portrayed him. And in spite of his profanity, the man was extremely approachable and engaging. And what energy he had for one so old! (For that time when life expectancy for the average American was about forty-five years, Jackson, aged sixty-eight, was positively ancient.)<sup>42</sup>

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<sup>41</sup>Major John H. Howard, designated by the Georgia legislature as commander of state militia to control the Indians in western Georgia. Johnston and Browne, Stephens, 104.

<sup>42</sup>AHS Diary, 5 January 1837, Stephens Papers, LC.

After his stay in Washington, Stephens headed north via Baltimore (his first train ride) and Harrisburg to visit New York City. On the way he paid a visit to his Pennsylvania relatives, his father's brother James and his family, whom he had never met. Their pleasant farm was situated in Perry county, and they were delighted with their unexpected guest--delighted, that is, until in the midst of a convivial dinner Uncle James asked what business Stephens was in. "I am a lawyer," he replied. A horrified silence, broken only by the clattering of Uncle James' knife and fork to the table, immediately descended on the gathering.

"A lawyer?" said Uncle James sadly. "Alexander, don't you have to tell lies?" (Uncle James was obviously a man of some perception.) Stephens was amused, but immediately seized this moment to instruct the misinformed. "No, sir," he said proudly. "The business of a lawyer is neither to tell lies or defend lies but to protect and maintain right, truth, and justice . . . to expose fraud, perjuries, lies, and wrongs of all sorts." It was, said Stephens, the noblest calling on earth. With this, so we are told, the Perry county Stephens were reassured.<sup>43</sup>

After two days with his relatives, Stephens went on to Philadelphia where for a fee he fell victim to the famous "automoton" chess player, one of the marvels of the day, a machine which played a strong, logical game against all comers. Actually the cabinet behind which the "mechanical man" sat concealed a diminutive chess expert, but the

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<sup>43</sup>Johnston and Browne, Stephens, 104-105.

hoax was not revealed for years. Then he went on to New York, spending five days there before returning home.<sup>44</sup>

He was back in Crawfordville in time for the annual Fourth of July festivities. Not selected to speak this year, he read the Declaration of Independence to the crowd. At the barbeque which followed the speeches, Stephens sounded a decidedly discordant note when he offered a toast condemning nominating conventions as "dangerous inroads upon Republican simplicity." Most of the simple republicans in attendance utterly failed to perceive their peril. One or two objected vocally, and few drank the toast.

"So . . . pass on the unthinking multitude," thought Stephens. "Never considering their rights until too much endangered to be secured . . . readily sanctioning whatever is endorsed for them by higher authorities."<sup>45</sup> Just exactly what Stephens meant by this is difficult to say. But it was 1835. Andrew Jackson's Democrats had, a few years earlier, introduced nominating conventions as needed innovations to free the candidate selection process from the trammels of party bosses.

As has been mentioned, Stephens' political bent was toward the Whigs, a party just then beginning to coalesce in opposition to Jackson and the ideas he represented. In fact, it would be several years before Georgia would actually have what could properly be termed

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<sup>44</sup>AHS Diary, 26 January 1837, Stephens Papers, LC. On the chess automaton, see Fred Reinfeld, ed., The Treasury of Chess Lore (New York, 1951), 244-65.

<sup>45</sup>AHS Diary, 4 July 1835, Stephens Papers, LC.

a Whig party.<sup>46</sup> It is likely that Stephens' toast was the best anti-Democratic rhetoric he could muster at the time, and as such can be taken as a representative example of the growing pains Georgia Whigs underwent in articulating a coherent opposition stance.

Eighteen thirty-five and 1836 were busy years for Stephens. His business grew steadily, and because he was conscientious, ambitious, and given to books anyway, he spent many a long night over his law books. It was hard work just keeping up with his practice, but the law did not occupy all of his time. He served as clerk to the town council, for example, and was a member of the Crawfordville Thespian Society which occasionally put on oratorical or dramatic "exhibitions." He became a member of the county debating society, and for recreation of a different sort he roamed the fields and hollows of the "old homestead" with his brother Aaron, recalling the past and visiting the graves. He never wasted his time lounging about town with the village populace.

It was during these months of diligent application to the law business that Stephens became close friends with Dr. Foster, the man who had talked him into giving the Fourth of July speech a year earlier. Foster had taken a rather paternal interest in Stephens, and, knowing the value of relaxation, he would pry Stephens away from his office

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<sup>46</sup>See Chapter III below, 86 ff. The Whigs learned very shortly that opposition to nominating conventions was completely at odds with the roaring egalitarianism of the United States in the 1830s. Within a few years they were as loud in their praise of conventions as the Democrats, who had originated the practice.

whenever he thought the young man was becoming too immersed in his books. The doctor and his young friend would then ride the country rounds, sometimes fifteen miles out of town and to the edges of the county in all directions.

Stephens thought Dr. Foster "a most wonderful man." The doctor was the kind of person who appealed to Stephens. He had a sharp mind and a knowledge of history, art, and science, besides what passed for medicine in those days. Moreover, he knew about politics, and railroads, too.

Local affairs or national affairs, it did not matter--Stephens was willing to talk politics with anyone. And so, as he rode along beside this "Mentor of my young manhood," Foster plied him with arguments for railroad development, painting marvelous vistas of the prosperity that steam locomotion would mean for the state.

Stephens, though ignorant of it at the time, was being groomed. Dr. Foster had a financial interest in railroad development in Georgia, and he had discovered in Stephens a young man of promise and talent. With Jeffries gone off to Columbus, the Taliaferro county seat in the State Assembly was vacant. Foster thought that maybe Stephens was the man to fill it.<sup>47</sup>

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<sup>47</sup>Johnston and Browne, Stephens, 107- 99, 108; Rabun, "Stephens," 70.

### CHAPTER III

#### POLITICAL APPRENTICESHIP

Alexander Stephens was drawn as unerringly into politics as the needle of the compass is drawn to magnetic north. It is quite probable that the long rides with Dr. Foster may have given the needle a nudge in the direction it would have gone anyway. For politics, at least in early nineteenth-century America, was the single avenue open to a man of modest means, who, above all things, desired as widespread a recognition as was possible. And Stephens burned with just such a desire. Perhaps, too, with the unsullied idealism characteristic of youth, he decided that his presence in the Milledgeville State House would mitigate the "corruption, treachery, and bribery" he found so "conspicuous" there.<sup>1</sup> Moreover, the circumstances for Stephens' entry into politics were fortuitous: the Taliaferro county seat in the Assembly had been vacant since Swepston Jeffries had moved to Columbus. Moreover, the journeys with Foster all over Taliaferro had given Stephens the opportunity to meet many of the county's voters. Thus, in the fall of 1836, Stephens, nominated by friends, became a candidate for representative in the state's lower house.<sup>2</sup>

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<sup>1</sup>AHS Diary, 29 May 1835, Stephens Papers, LC.

<sup>2</sup>The statement of Cleveland, Stephens' official biographer (Stephens, 49) that he received the nomination "contrary to his



Political alignments in Georgia in 1836, the year Stephens entered the political arena, were just emerging from a state of murky and obscure flux. This had been their normal condition almost since Georgia achieved statehood in 1790. So tangled and complex were the factions and allegiances in Georgia that exasperated observers who tried to make some sense of them could easily agree with the editor of Niles Register that it was impossible to understand Georgia politics and that he, for one, made no pretence of doing so.<sup>3</sup>

Until at least 1832, the political struggles in Georgia had been fiercely waged by parties having not the remotest connection with national alignments or with discernible ideologies. By that time the state was only a few years removed from the rough frontier stage of its existence. Georgia's liberal land policy had encouraged settlement by masses of yeoman farmers, and even though slavery and the plantation system were well on their way to establishing dominance in the state, conditions had encouraged "democratic forms and institutions that acknowledged the role of the citizen in public affairs." For example, by 1810 all white male taxpayers, another way of saying all white males, had the suffrage. After 1825 the governor was popularly

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express wishes" may be safely discounted as an exaggeration. It was not considered proper form in the nineteenth century to actively seek office. Rather the office sought the man, and the man would consent "to the use of his name" in connection with nominations. Rabun, "Stephens," 78n. To the extent that Stephens may have entered some pro forma protest about his unworthiness for office, Cleveland's statement contains a grain of truth.

<sup>3</sup>Ulrich B. Phillips, Georgia and State Rights . . . Annual Report of the American Historical Association, 1901, II (Washington, 1902), 127.

elected for a two-year term. The voters also exerted their control over county government, all inferior court judges, court clerks, and justices of the peace being popularly elected. By 1835 superior court justices were likewise elected, and property requirements for membership in the state legislature were abolished. As a result of this steady evolution of democratic forms in Georgia, there were only two units of any real significance in the state's politics, the state and the county; and the latter was the area of the most intense activity. County cliques, united behind local leaders, vied all over the state for control of the local political bailiwicks.

Georgia did not experience any lasting cleavage along Republican-Federalist lines during the 1790s. The first leader in the state with a substantial following was James Jackson, who had led the opposition to the fraudulent Yazoo land grants in the first decade of the nineteenth century. By 1815 the remnants of Jackson's followers--he had died in 1806--had gathered under the banners of George M. Troup and William H. Crawford. This group was opposed by another, the personal following of John Clark. Although the Clark party--if "party" it can be termed--professed to speak for the common man, there was actually little to distinguish the two factions, either in terms of philosophy or following.

Throughout the 1820s political contests in Georgia were fought out between the personal followings of Troup and Clark, and the factions were extremely closely matched. In 1823, for example, Troup won the governorship by only four votes in the state legislature. Then, in 1825, in the first gubernatorial contest decided by popular

vote, Troup again prevailed, but by only 683 votes out of more than 40,000 votes cast; and the Clark faction won a majority in the legislature.

The Troup party had succeeded in 1825 largely because it was the first to realize the necessity of appealing to voters on a statewide basis. This it accomplished by building compact local organizations, and by sending its most popular speakers to barbeques and rallies throughout the state.<sup>4</sup> Moreover, the governor had kept himself prominently in the public eye by pressing for speed in the removal of the Creek Indians from the state, a course which brought the state government into frequent collision with the John Quincy Adams administration in Washington.

From its beginnings in Georgia politics, the Troup party had won overwhelming support in the older, river bottom counties north of Macon and east of Milledgeville, the cotton-planting region of the state, and in the rice-growing region near Savannah. The Clarkites, on the other hand, generally garnered the support of the newer western counties, counties with fewer slaves where the plantation system was not as well established. Although this fact might indicate a political division along economic lines in Georgia--the Troup party being that of the more aristocratic and substantial slaveholding planters, and the Clark party being that of the poorer whites and smaller slaveholders--it

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<sup>4</sup>Richard P. McCormick, The Second American Party System: Party Formation in the Jacksonian Era (New York, 1973), 236-39; Paul Murray, "Economic Sectionalism in Georgia Politics, 1825-1855," Journal of Southern History 10 (August, 1944): 294.

would be a mistake to suppose that economic or class considerations were controlling factors in Georgia politics. Voters, it should be emphasized, were just as likely to support candidates on the basis of personal antipathies or friendships, or on inherited affiliation, as on the basis of economic class.<sup>5</sup>

Nor until the nullification crisis in 1832 was there any basis of division on national issues. Both parties favored Indian removal, and both parties loved Andrew Jackson. For Jackson commanded loyalty simply because he was a southerner, a slaveholder, and a hater of Indians and the British. And, as an opponent of John Quincy Adams, Jackson was also symbolic of the anti-tariff, anti-internal improvement sentiment in which both Georgia factions heartily concurred. Differences there were between Georgia parties, and violent ones; but these were disagreements over various state issues.<sup>6</sup>

The Indian removal question was the first real issue of federal-state relations that arose to bedevil the Georgia parties. The gubernatorial contest of 1831 had resulted in the defeat of the incumbent, George R. Gilmer, a Troup man. Although the Troup party had retained its control over both houses of the Assembly, Wilson Lumpkin, the Union party candidate, had been elected governor. (The Clark party was now identifying itself as the Union party.) The election was noteworthy for a bewildering "mixup of personalities, issues, and support of state party machines." Lumpkin, for instance, was a friend of John C. Calhoun; yet he had been elected by a party

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<sup>5</sup>Paul K. Murray, The Whig Party in Georgia (Chapel Hill, 1948), 7-11; Rabun, "Stephens," 81.

<sup>6</sup>On the Jackson party in the South, see William J. Cooper, Jr.,

adamantly opposed to Calhoun and all his works, especially the doctrine of nullification.

When the Indian removal question arose in 1831, the two Georgia parties were confronted with the issue of their attitude towards the federal government. As a result of this confrontation, party alignments underwent a slight shift. The new configuration of party lines became even more firm in the tariff controversy of 1832-33. The outcome of the tariff controversy in Georgia was a complete reorganization of the Troup party.

To state the case briefly: the Troup party members in the lower house refused in 1831 to follow the recommendations of Governor Gilmer, their titular leader, to delay survey of Cherokee Indian lands until titles were extinguished by agreement between the tribe and the Federal government. The Troupites chose instead to endorse the policy of Wilson Lumpkin, the new governor, and passed a law ordering immediate survey and occupation of all Cherokee lands in the state.<sup>7</sup> Thus the Cherokees' fate was sealed, for the Jackson administration posed no obstacle to Georgia's action, the 1832 decision of the Supreme Court in Worcester v. Georgia (which, in effect, forbade Georgia to occupy the Indian land) to the contrary notwithstanding. Both parties in Georgia vociferously damned this decision, and it was

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"The Politics of Slavery" (ms. to be published by LSU Press, Baton Rouge, in late 1978), 1-8. I would like to express here my deepest appreciation to Dr. Cooper for his allowing me to see and use this valuable manuscript. On the state issues between the Clark and Troup parties, see Murray, ibid., 11-26.

only Jackson's refusal to back up the Court that saved Georgia from engaging in an act of nullification.

Across the Savannah river, in adjacent South Carolina, state authorities were actually attempting to nullify a federal law, the tariff law of 1828. Georgians, of course, had not been blind to the tariff issue. Indeed, the legislature had condemned the tariff in 1828, and in 1832 had even more vehemently assailed it. An extreme wing of the Troup party were outright advocates of the nullification doctrine, but the bulk of the party, though acquiescing in rabid rhetoric against the tariff, refused to countenance the Calhoun remedy for unconstitutional laws. It was the Troup party leaders, however, that sponsored a state anti-tariff convention which met in Milledgeville on 12 November 1832. This convention, after the bolt of a faction under the lead of John Forsyth, proceeded to pass a series of resolutions drawn up by John M. Berrien. The resolutions declared the tariff of 1828 unconstitutional and called for a southern convention to meet to consider methods of redress.<sup>8</sup> The plan, however, got nowhere. Under the lead of Lumpkin, the Troup majority in the Assembly condemned the actions of the convention and declared nullification unconstitutional.

Thus, by 1833 Georgia was divided into two camps on federal relations. The Union party decried the agitation the Troupites had stirred up on the tariff, but the latter group were quite confused among themselves about the proper means of obtaining redress on the issue.

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<sup>8</sup>Ibid., 31-32; E. Merton Coulter, "The Nullification Movement in Georgia," Georgia Historical Quarterly 5 (March, 1921): 24-28.

No such confusion existed, though, among the Troupites in response to Andrew Jackson's proclamation to the people of South Carolina and the subsequent Force Bill. The Union party thought the Proclamation the noblest document since Washington's Farewell Address.<sup>9</sup> The Troup party, which now began calling itself the State Rights party, was just as extravagant in its condemnation of Jackson. A meeting in Taliaferro county in March 1833, for example, branded the Force Bill "arbitrary and despotic" and "virtually a repeal of the constitution."<sup>10</sup>

The year 1833 was a pivotal one in Georgia politics. From this point on, differences over principles of government began to overshadow personalities. Party lines further solidified in the state constitutional convention of 1833, the Unionists applauding Jackson and Senator John Forsyth, a former Troup man who had joined their ranks, while the State Rights men condemned them both. In 1834 the State Rights party was formally organized under the nominal leadership of Troup and Berrien. The party contained a small, vociferous minority of outright nullifiers, but the majority of the party found Calhoun's doctrine abhorrent. The entire party, however, was united in its condemnation of the Force Bill; and soon splinters from the Union party, which felt the same way, drifted into the State Rights ranks. Meanwhile fragments of the State Rights organization were breaking off and adhering to the Union Party.

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<sup>9</sup>Murray, ibid., 33.

<sup>10</sup>Coulter, "Nullification Movement," 33.

These various political migrations were still occurring during the congressional elections of 1834. These elections were the first in Georgia which were influenced by local, state, and national party groups, and the first, also, whose results fell along party lines. Although the two parties were very closely matched--both had rapidly set up county organizations to function in local and municipal politics--the Union Party carried the state elections of 1834 and again won the governorship in 1835.

Until the national elections of 1836, the Georgia parties, despite their new orientations, had remained essentially state organizations. Now, however, they were forced to choose a candidate for President along lines which drew the parties into even closer relationship with the national parties. Martin Van Buren, Jackson's hand-picked successor, in the eyes of many Georgians, or, indeed, of many southerners, came nowhere near filling Jackson's heroic boots. The Union party, without any great enthusiasm, loyally supported Van Buren; but the State Rights men, although once again defeated in the congressional races, succeeded in carrying the state for their own presidential candidate, Hugh Lawson White of Tennessee.

The 1836 presidential campaign in Georgia was one of vicious mudslinging by both sides, but it is extremely important to note the importance that the issues of slavery and race played in it. White was charged with being a counsel for abolition societies, and with having walked arm-in-arm with a free black to the polls in Kentucky. Van Buren, on the other hand, was accused of being a friend of abolitionists, of being, among other things, an advocate of black suffrage



in New York, and of being a northerner with no sympathy for the South.<sup>11</sup> A pattern, one which would hold in Georgia politics throughout the antebellum period, was being set. Slavery and its protection would be fundamental in party politics. Slavery would always be the "bottom line."<sup>12</sup>

This then was the political situation into which Alexander Stephens thrust himself in 1836. The county of Taliaferro, with the possible exception of neighboring Greene county, was the staunchest Troup area in the state. Stephens had cast his first vote there in 1833, for Joel Crawford, the State Rights candidate for governor. This action was not exceptional. In Taliaferro, Troup-State Rights

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<sup>11</sup>McCormick, Second Party System, 241-43; Murray, Whig Party in Georgia, 59-66.

<sup>12</sup>In fact, fears for the safety of slavery had even earlier antecedents in Georgia. Throughout all of the tariff agitation there ran a strain of fear and suspicion of Northern aggression on the institution. In 1832 the legislature offered a \$5,000 reward for the arrest of abolitionist William Lloyd Garrison. In 1834 the entire state was horrified by the discovery of an incipient slave revolt in the state. And a year later the Georgia temperance societies split off from the parent American Temperance Society because it supported abolition. Governor Lumpkin's annual message of that year called for congressional legislation to suppress circulation of antislavery literature. Another insurrection plot was discovered in 1835, and three blacks were arrested, two convicted--one was hanged, the other had his ears cropped and was whipped and branded. In 1836 an abolitionist in Jasper county was tarred and feathered and ridden out of town on a rail by an enraged mob. Murray, ibid., 74-75. On the use of the slavery issue by southern parties for partisan purposes, as well as the essential southern solidarity on the slavery issue, see Cooper, "Politics of Slavery," 64-67.

candidacies between 1831 and 1835 enjoyed over ninety-five percent of the vote.

But the county did have its divisions, and these were between the factions of two local leaders, Brown and Janes. Stephens attempted, without success, to avoid irritating either faction. But by his association with Dr. Foster, a Brown man, Stephens had already identified himself with one of the groups. And he made this identification complete when he endorsed the candidacy of a friend, also a Brown man, for the state senate.<sup>13</sup>

Stephens' first campaign was a bitterly contested one, as contests based on local animosities are likely to be. Slander played a prominent role in the campaign rhetoric. Stephens, for example, was accused of being a defender of Jackson's administration and of the Force Bill--a charge he angrily denied. He was also accused of being an abolitionist. This absurd, but always mortifying and dangerous charge in southern politics, stemmed from his role in discouraging the formation of a local vigilance committee. Several counties in Georgia had organized these committees to deal summarily with circulators of northern abolitionist literature. When such a committee was proposed for Taliaferro, Stephens, almost alone, stood against it, denouncing it as unlawful and arguing that punishment of offenders must be by duly constituted authority and not by mob rule. He was successful

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<sup>13</sup>Rabun, "Stephens," 86; Stephens, Recollections, 15. Stephens had unwittingly irritated the Janes faction much earlier by attending dinner at the house of a Brown man after his Independence Day speech in 1834. AHS Diary, 4 July 1834, Stephens Papers, LC.

in preventing the committee's establishment--his rational arguments for civil rights and the majesty of the law prevailing over emotionalism--but the Janes faction carried the issue into the campaign against him. So desperately did they assail him that Stephens found it necessary, in spite of a raging fever, to rise from his sickbed to defend his love of justice. Evidently the county believed him, for he beat his opponent by a two-to-one margin.<sup>14</sup>

So Stephens became a member of the state House of Representatives, a position he would hold through the year 1840. Declining to run the following year, Stephens successfully ran for a seat in the state senate in 1842. The years he spent in the Georgia Assembly constituted Stephens' political apprenticeship. During these six years Stephens absorbed the essential lessons in politics that were to be so necessary for his future success in the national Congress. First of all, he learned how to heed the wishes of his constituents, how to handle them, and how to weld them into a solid bloc of political support. These were also years in which Stephens mastered skills in legislative tactics, parliamentary procedure, and party strategy. But although Stephens' honing of these skills was important, the years he spent in the Georgia General Assembly, if viewed in terms of tangible accomplishments, were singularly unimpressive. Of such accomplishments, Stephens could boast of but one, and it occurred in his first year in the House.

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<sup>14</sup>AHS to B. O'Bryan, 27 September 1836, Stephens Papers, LC; Johnston and Browne, Stephens, 125-26. We must accept the election figures of the official biographers, nor do we know the name of Stephens' opponents for this election and several more of these county races. They were not reported in the state press.

The House was in the midst of a great debate on the merits of a state-financed railroad. This monumental project, which proposed to connect Atlanta and Chattonooga by rail, was not a party issue. Some men, it mattered not whether they were State Rights men or Democrats, had no faith in the future of the dangerous, smoky, steam locomotives with their trains of stuffy, excruciatingly uncomfortable coaches. The proposed "main trunk line" (a "great snout," snorted one skeptic) over mountains in north Georgia that even a spider could not climb (snorted another) was simply too visionary. Other men, reared in the pristine principles of rigid Jeffersonian economy in government spending, were opposed to any internal improvements at state expense. And particularly this project drew their fire, for the proposed road would require a great outlay of money.

Against such prejudices and convictions as these, the proponents of the measure, led in the House by W. W. Gordon of Savannah, a rich lawyer and himself president of a railroad, propounded more abstract arguments. They urged the vast importance of the measure: how it would bring trade and prosperity to the state; how, in particular, it would enable Savannah to compete successfully with Charleston (which had already been connected by rail to Hamburg on the western border of South Carolina) for the developing trade of the northwest.

Stephens had recently been prepared for his legislative debut by a visit from Dr. Foster. Foster, upon his return from a Georgia railroad convention in Macon, had stopped over in Milledgeville to consult with Stephens. The convention had gathered with the express intention of urging the legislature to finance the building of the Western and

Atlantic Railroad, as the state project was called. Arming himself with a formidable array of facts and figures, Stephens prepared for days his maiden address.

When the opportunity finally came for him to deliver it, because he had waited as befitted a freshman legislator for the more experienced lawmakers to say their pieces, his speech produced an "electrical" effect. The gist of his argument was the immense increase in the aggregate wealth of the state that would accrue if the railroad were built. For an expense of four million dollars, he said, the state would realize fifteen million dollars. And he pointed out something which previous speakers had overlooked: how property values along the proposed route would be enhanced. When he had finished, the young unknown from Taliaferro was unknown no longer. Applause came from both the galleries and the floor of the house. The speech, reported Stephens, "did me great credit, and aided very materially, many thought, in securing passage of the bill."<sup>15</sup> This it may well have done, for the bill did indeed pass; but Stephens' optimistic hopes for the Western and Atlantic were not to be realized for almost twenty years.

This speech may have been Stephens' finest effort in his state legislative career. There is no way of proving otherwise because it is the only oratorical effort Stephens made in the legislature that anyone cared to notice. Stephens' correspondence for the

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<sup>15</sup>AHS to Williams Rutherford, 13 March 1857, in Cleveland, Stephens, 6C7-10; Iverson L. Harris to Williams Rutherford, 10 May 1857, ibid., 52-53; Johnston and Browne, ibid., 126-27.

two months of each year he spent at the legislative sessions is strikingly silent on his political affairs. Legislative journals are poor substitutes for more direct evidence, but they are almost all that exist for this period of Stephens' political life. And the journals bear testimony to a dutiful lawmaker, one who introduced few bills, but who diligently cared for the needs of his constituents.

In his first year Stephens drew an insignificant and obscure committee assignment, the Committee on Engrossing--a place to learn something about bills, perhaps, but not much about anything else. In later years he fared better in committee assignments, receiving Judiciary four times (the only committee assignment he received in the Senate), State of the Republic twice, Finance, and Public Education and Free Schools each once.<sup>16</sup>

The issues addressed by the Georgia legislature during Stephens' tenure there were largely financial. Financial questions never were of much interest to him. He preferred the more abstruse realms of constitutional theory. But Robert Toombs, who joined his friend in the House in 1837, was vitally interested in finance. Toombs, already very prosperous, and destined to become even more so, was an unshakeable fiscal conservative. Stephens was generally disposed to follow his lead in economic and fiscal matters.

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<sup>16</sup>Georgia House Journal, 1836, 64-65; ibid., 1837, 58; ibid., 1838, 36-37; ibid., 1839, 38-39; ibid., 1840, 35; Georgia Senate Journal, 1842, 41. Most of the bills and resolutions Stephens introduced in these years were of a local character: to establish two Academies in Taliaferro, to define the limits of railroad liability for destruction of livestock, to adjust county lines, and to amend various court procedures.

The onset of the national panic in 1837, which punctured the bloated bubble of land speculation and exposed the madcap banking practices upon which the whole boom rested, naturally had a corresponding effect in Georgia. By May 1837 only seventeen banks remained open in the state; and only one, the Central Bank of Georgia, was still redeeming its notes in specie.

The Central Bank was a rather odd financial institution. Chartered in 1828, it was a hybrid creature: functioning as a state treasury and depository, whose capital consisted of all of the specie, notes, stocks, bonds, and debts due the state, it also functioned as a bank. The Bank, for example, could purchase bills of exchange, discount notes, and also make loans to the citizens of the state.

Almost immediately at the onset of the depression in 1837, many of Georgia's hard-pressed citizens looked to this institution for relief; and the Democrats, the legislative majority, were only too happy to use the Central Bank for just such a purpose.<sup>17</sup> Toombs and Stephens, along with the rest of the State Rights minority in the House, resolutely but futilely opposed a bill authorizing the Central Bank to borrow \$150,000 to make relief loans to citizens of the state. Two years later they were more successful in foiling the plans of the Democrats, as they managed to defeat an attempt to increase the Bank's capital by five million dollars, a scheme also aimed at providing relief. They were not successful, however, in preventing the

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<sup>17</sup>Rabun, "Stephens," 92-93; Murray, Whig Party in Georgia, 69; Thomas P. Govan, "Banking and the Credit Skysystem in Georgia, 1810-1860," Journal of Southern History 4 (May, 1938): 172.

passage of legislation authorizing the Bank to issue notes up to twice the amount of its capital. Stephens and Toombs, along with fifty other indignant protestants, signed a statement, which was entered on the journal, declaring that the idea "that the people should rely on the Government for pecuniary relief" was "radically wrong." The proposition that public credit should be sued to relieve public wants was "outrageous" for it would require universal and oppressive taxation to redeem it--taxation, it should be mentioned, that would fall the heaviest on the substantial property owners of middle Georgia.

The Central Bank, unlike the state of Georgia and most of its citizens, never recovered from the panic of 1837. At the height of the hard times affecting the state in the period 1840-41, an inevitable depreciation of its unsecured note issues occurred. After the Bank suspended specie payments in 1841, that is, refused to redeem its currency with hard money, its days were numbered. It never again resumed normal operations, and lingered on, a gutted hulk, until final liquidation in 1846.<sup>18</sup>

Stephens and Toombs, as well as other State Rights party members, proved more liberal in support of internal improvements than they were on matters of public relief. Both supported river navigation and road-building appropriations. Toombs, though much more reluctant than Stephens to regard the Western and Atlantic as a project deserving special attention, nevertheless voted with the minority in a losing effort to force the state to live up to its obligations by

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<sup>18</sup>Rabun, ibid., 93-94; Georgia House Journal, 1839, 410-12; Govan, ibid., 173-74.



paying \$200,000 to a private company for further construction of the road.<sup>19</sup>

As indicated, the party divisions of the 1830s in Georgia had remained quite pronounced, and competition between the factions was intense. But the State Rights party unlike the Democrats, remained aloof from formal amalgamation with a national political party. The reason for this is not difficult to discern. Whereas the Democrats in Georgia had a solid basis upon which to merge with the national organization, i.e., the personal popularity of Andrew Jackson, their opponents enjoyed no such advantage. Jackson's war on the Bank and the compromise tariff of 1833 (which had defused the issue in the South) were generally acceptable to Georgia voters. So, as usual, the State Rights party carried out its campaigns by attacking personalities. And the Democrats responded in kind. It was only after 1837 and the panic, that the State Rights party shifted to advocacy of economy and sound business practices in state government--that is, issues of substance. It was at this point that the State Rights party's affiliation with the national Whig party probably became inevitable. For whether they liked it or not, the State Rights men were beginning to sound very like the Whigs in Washington--and all over the rest of the country, for that matter--who were excoriating Andrew Jackson and the train of evils his policies had brought upon the nation.<sup>20</sup>

The national Whigs were a curious aggregation. To paraphrase John C. Calhoun, one of the party's earliest (and unlikeliest) members,

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<sup>19</sup>Rabun, ibid., 94; Phillips, Life of Toombs, 21-22.

<sup>20</sup>Murray, Whig Party in Georgia, 87-88.

they were brought together under the cohesive power of a common hatred: Andrew Jackson. The Whig party was a bewildering hodgepodge of conflicting and contradictory interests and tendencies--containing at its inception and throughout its early history both nullifiers and nationalists, pro- and anti-tariff men, pro- and anti-slavery men--"a political 'holding company' for the pool-interests of state and sectional parties,"<sup>21</sup> as one historian has aptly described them. The Whig party, all historians agree, arose out of common opposition to Jackson and his policies, the war on the Bank of the United States, the Force Bill, the removal of deposits, and the like. But it was, from its inception, inherently unstable. Like the man-made elements in atomic physics, the Whigs were destined, after a series of short half-lives, to break down into more basic components. It is not surprising that this party was never able to agree on a political platform capable of carrying it to victory in a presidential election. Political expediency was the midwife at the Whig party's birth, and political expediency would serve as pallbearer at its funeral.

It is for this reason that historians have experienced such difficulty in explaining the vigorous two-party system that evolved in the South in terms of economic class or ideology.<sup>22</sup> There are

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<sup>21</sup>Ibid., 1.

<sup>22</sup>See, for example, Arthur C. Cole, The Whig Party in the South (Washington, 1914), 1-38; and Charles Sellers, "Who Were the Southern Whigs?" in Frank Otto Gatell, ed., Essays on Jacksonian America (New York, 1970), 230-38; and U. B. Phillips, "The Southern Whigs, 1834-1854," in Essays in American History Dedicated to Frederick Jackson Turner (New York, 1916), 203-29. The most recent attempt to deal with the second party system in ideological terms is Rush Welter, The Mind of America, 1830-1860 (New York and London, 1975).

simply too many contradictions that must be dealt with: the leadership class, the substantial planter, in both parties was identical, for example, and the masses of voters, who supported both parties, were identical. They were, by and large, yeoman farmers. And ideology, as a heuristic device to differentiate Whigs and Democrats on the national level, fails utterly to explain the fundamental cleft between the northern and southern wings of the Whig party. The former was nationalistic, basically antislavery, and committed to Clay's American System: a protective tariff, a national bank, and a system of federally-financed internal improvements. The southern wing generally was pro-slavery, a militant exponent of state sovereignty, and never more than lukewarm towards the American system.

This is not to say that principles played no part in the formation of the southern Whig party. They most assuredly did. But men may hold to principles with varying degrees of intensity. If they did not thus hold them, the practice of democratic politics would be a functional impossibility. Some principles, like the belief in the efficacy of a tariff or internal improvements at federal expense, for example, were, for most southern Whigs, negotiable within wide latitudes. Other principles, like the belief that slavery was a moral and humane system and not a moral question, and that it was essential to the very basis of southern society, were fundamental--and, by definition, non-negotiable.

A politician whose every principle is non-negotiable is an ideologue, a species of the genus that has, with few exceptions, failed

to achieve much success in the democratic political system of the United States. The southern Whig leaders, no less than their opponents, were politicians constrained to practice their craft in a democratic political system. And as politicians engaged in a struggle for supremacy in the South, the southern Whigs, perforce, found it essential to embrace (albeit with varying degrees of ardor) the economic principles of the national party to combat their domestic political opponents. To economic conservatives like themselves, this course may have been unpalatable, but it was necessary for their own political survival.<sup>23</sup> And it was smart politics, too.

Thus, it is only as political men that the southern Whigs can be understood. It is not very enlightening to label the course of the southern Whigs into the mainstream of the national party as mere "expediency." This would be like applying the same term to the actions of a drowning man who grabs a life line. His act is expedient, of course, but does this term really describe what he did? Of course not. Self-preservation is instinctive. It is, in itself, a non-negotiable principle--in much the same way as our drowning man, the southern anti-Jacksonians grabbed the life line proffered them by the national Whigs. Not all of them did so with unbounded enthusiasm, though. The rope was slippery.

The Georgia Whigs are an excellent case in point. When national issues--the tariff, the sub-treasury, and internal improvements--were carried into the pre-presidential campaign in 1839, the State Rights party proposed native son George M. Troup for the nomination.

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<sup>23</sup>Very illuminating on this point is Cooper, "Politics of Slavery," 185-87.

They were not yet ready to endorse the candidacy of the darling of national Whiggery, Henry Clay. Clay was distasteful to them on more than one score. For example, he had engineered the Missouri Compromise of 1820, which was, in their view, at least tacit admission of a congressional right to interfere in the question of territorial slavery. Moreover, Clay was, it was said, responsible for the tariff; and the tariff was responsible for an overabundant national treasury and all the corruptions ensuing therefrom.

It was the unbounded nationalism of the Whigs that these Georgia State Rights men found so disquieting. And Alexander Stephens agreed. The Whigs, he said at the Independence Day festivities of 1839, embodied "the reviving spirit of the old Federalists." However, for the "known enemy," the Democrats, he saved his choicest barbs: "Judas-like traitors" they were, who had betrayed pure Jeffersonian republicanism for the spoils of office. They had attempted to enforce the tariff with bayonets, had hugely increased public expenditures while promising retrenchment. He would rather, he said, see his sister marry a rake than see Georgia ally with one of these parties. Association with either, he concluded, "would be death to our principles."<sup>24</sup>

One wonders what the fate of Stephens' rhetorical sister would have been when the inevitable marriage of the Georgia State Rights party with the Whigs took place the next summer. At the state convention in Milledgeville, the State Rights party formally withdrew its nomination of Troup and endorsed William Henry Harrison for

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<sup>24</sup>Milledgeville Southern Recorder, 4 July 1839; Murray, Whig Party in Georgia, 89.

President. Only a few, the militant fringe of Calhoun nullifiers, refused to make the switch and joined the ranks of the opposition. Stephens, of course, was not one of these, but he had not been entirely enthusiastic about the party's choice. Harrison was, he admitted, "a choice of evils." But because Georgia Whigs, like their counterparts throughout the country, chose to ignore the issues in the campaign and concentrate on portraying Harrison as a simple man of the people, Stephens could, while campaigning for "Old Tippecanoe," console himself with the thought that precious principles were not really involved in this election.<sup>25</sup>

The years that Stephens was serving his political apprenticeship in the state legislature, critically important years in his development as a politician and skilled parliamentarian, were also significant for other events which were to affect his life profoundly. For it was during these years that his close relationship with Linton began.

Until 1836 Alexander had taken only a mildly fraternal interest in his thirteen-year-old half-brother; but now, "in the Golden period of his life," Stephens decided that Linton's "affairs should be settled in some definite and agreeable way." So, in 1837, Stephens arranged that the boy's guardianship be transferred to himself, moved him to Crawfordville, and put him in school.

Linton's entrance into college one year later marked the beginning of a prodigious correspondence between the two brothers

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<sup>25</sup>Johnston and Browne, Stephens, 140.

that would continue unabated for over thirty years. The younger boy, eleven years Alexander's junior, was mild-mannered, studious, and pliable; and, for a time, the relationship between the two was like that of a father to his son. This gave way in time to an extraordinarily close fraternal attachment marked by mutual respect and deference on both sides. Linton filled an unmistakable void in his brother's lonely life. He became the confidant and companion to whom Alexander could reveal his innermost self without fear. Stephens, who once said of himself "feeling was always my characteristic quality," grew to love Linton with a passionate, almost possessive, intensity. For his part, Linton was tender and sympathetic, understanding and responsive to all the strange nuances of his brother's character. Only one person would ever surpass himself in Alexander Stephens' opinion. That person was Linton. Linton, quite literally, became a part of Alexander's very life.<sup>26</sup>

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<sup>26</sup>AHS to "Dear Brothers," 11 September 1836, Stephens Papers, DU; AHS Diary, 14 April 1834, Stephens Papers, LC. All biographers of Stephens must deal with the Alexander-Linton relationship. It must be admitted from the outset that Alexander Stephens was an abnormal individual, who loved and hated with near pathological intensity. Von Abele (Stephens, 68-69) claims that in Alexander's love for Linton there existed a "distinct, unconscious sensual bias," that Linton was the "substitute-object for the woman he could never have." Rabun ("Stephens," 71) is more judicious, finding that "except in its intensity, . . . nothing specially strange about Alexander's devotion." He is, though, perhaps less than kind when he remarks that Von Abele's interpretation "may be safely regarded as the fanciful and luxuriant lucubrations of a psychology-laden imagination." The question that both of these men are addressing without saying so is: did Alexander Stephens possess homosexual tendencies? It is a pertinent question, but unfortunately one that cannot be answered with any degree of certitude. I am convinced after careful reading of the Alexander-Linton correspondence that the answer is "no." The love bond that existed between the two brothers was highly unusual, but in my opinion,

Stephens' law business was thriving, so he decided to take upon himself the responsibility and expense of Linton's education. Nothing but the best for him would do. After Linton spent a year at the Crawfordville academy, Stephens sent him to Franklin College. Linton graduated from there in 1843, and then, after a short time reading law in Toombs' office, went to the law school at the University of Virginia. After being graduated from there in 1845, he then spent some months at Harvard.

Reading the letters from Stephens to Linton during these school years is a numbing experience for a researcher. Linton was fortunate in having to read them singly, for they contain, at great and tedious length, a steady barrage of questions, advice, homilies, admonitions, warnings, and solicitous, almost cloying, concern. Stephens resembled nothing more than a fussy old grandmother in his minute concern for every facet of Linton's life. No detail of Linton's daily existence--his studies, his grades, his reading, expenses, handwriting, companions, teachers, spelling, grammar, eating and exercise habits--was too small to escape Alexander's attention. Stephens gave advice on all of these

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the evidence will not sustain the interpretation Von Abele puts on it. There are two excellent reasons for this: 1) it ignores, or at least discounts, the epistolary conventions of the nineteenth century which allowed fervent expressions of affection and love between men, especially family members. And 2) it reads into this correspondence a quality in Stephens that, had he possessed it, would have been remarked upon by others. There exists not a shred of collaborative evidence on this point either in contemporary sources or in Stephens' other correspondence. In short, none of Stephens' closest associates ever regarded the relationship as unnatural for a man they all knew as uncommonly sensitive and affectionate with friends.



and more, but in nothing was he more insistent or interminable than in his exhortation to virtue--industry, ambition, honor, moral courage, courtesy, and independence. His own happiness, Stephens told Linton, almost depended upon the development of Linton's character. (Could Stephens' relationship with his own father have been like this? One wonders. No wonder the man's tolerance level for the faults of others was so low--he was never allowed to have even the slightest fault in himself.) Indeed, as Stephens confessed in 1838, the first year Linton spent away in college, his brother and his welfare had become the "center and abode of all that interests me."<sup>27</sup>

Stephens' health had never been good, but after 1836 he was steadily beset with one illness or another. In spring, 1837, just after recovering from a bout with pneumonia, he was stricken again with what appears to have been a digestive ailment. Bedridden for several months, he grew so weak that he could not walk, and he either crawled pitifully about or was carried by others. Hoping for improvement in his health, he took a long buggy trip about middle Georgia with his brother Aaron. By September he had recovered sufficiently to run

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<sup>27</sup>James D. Waddell, ed. Biographical Sketch of Linton Stephens Containing a Selection of His Letters, Speeches, State Papers, Etc. (Atlanta, 1877), 10, 48; Rabun, "Stephens," 72-73; AHS to LS, 31 August 1839, 12 May 1838, Stephens Papers, MC. Stephens hinted once that in his childhood he was not free from constant criticism. In speaking of the death of an aunt, he said: "She was the only person that I ever saw in my boyhood that seemed to understand me and to sympathize with me. She never seemed to me to think I was a bad boy. And for this reason perhaps it was that I thought more of her than of anybody that frequently visited our house." Ibid., 26 December 1851.

again for the legislature. This time the race was less taxing than before: he ran unopposed.

But by the spring of the next year, 1838, his general health was failing again. Thus, while Robert Toombs generously watched over his law practice, Stephens, on the advice of Dr. Foster, undertook another journey for his health. This time he would be gone from Crawfordville for four months. He went north, on a packet steamer, by way of Charleston. After visiting Washington again--as a Georgia legislator he was allowed a seat on the floor of Congress this time--he went on to Boston, and from there he rambled by stage or rail over New England. From Saratoga Springs, New York, he turned southward into Pennsylvania. It was not until he experienced the waters at White Sulphur Springs, Virginia, that his health showed any marked improvement.

His spirits, however, were not lifted at all during this trip be being so far away from Linton. "No day passes," he wrote to Linton, "but you are in mind. And you do not escape from my dreams by night." He actually fretted over whether he had counselled Linton sufficiently before his departure! So by letter he kept up a steady drumfire of advice: "Be true to yourself now . . . improve your mind, apply yourself to your books. . . . Always look up, think of nothing but objects of the highest Ambition. . . . But never forget your dependence and mortality. Let it be your morning and evening musings."

If Linton were able to tear himself away from these weighty musings, Stephens had for him a long list of recommended readings: "Locke, Bacon, Brown & Franklin . . . Milton & Shakespear [sic]--adopting with the latter only his sound maxims--repudiating his vulgar

obscurity." He had no such reservations when it came to the noble Romans: Virgil, Livy, Cicero, and Horace. And he also commended Burns, Paley, and Cervantes.<sup>28</sup>

Stephens' sojourn at the Springs evidently revived his health considerably, for he would not experience another debilitating bout of illness for some time. The year 1839 was a busy year, one that brought Stephens to the attention of a wider constituency. Prominent enough in Georgia to be selected as a delegate to the Charleston Commercial Convention, Stephens there delivered a "brilliant, eloquent, and powerful" speech against the establishment of a southern review. (It would become "a political engine," he argued.) The speech, like the convention itself--which had been called to advocate direct southern trade with Europe, thus bypassing the northern middleman--failed to achieve its objective,<sup>29</sup> but it had brought Stephens to the attention of many important and influential southerners. The enhancement of his reputation could have hardly been displeasing to him.

The election year of 1840 was the last time that Stephens served in the Georgia House. He declined to run the next year, partly for reasons of health--his dyspepsia and terrible headaches had returned--and partly because his law practice was demanding more and more of his time. His business was growing rapidly. Even the addition

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<sup>28</sup>Johnston and Browne, Stephens, 129-31; AHS to LS, 4 June, 12 May, 30 June 1838, Stephens Papers, MC.

<sup>29</sup>Milledgeville Southern Recorder, 18 July 1843; Charles S. Sydnor, The Development of Southern Sectionalism (Baton Rouge, 1948), 253-54.

of a partner, Robert Burch, in 1839, failed to shift much of the burden.<sup>30</sup>

That Stephens was prospering soon became evident. In March of 1840 he bought a buggy to travel the circuit in, and when he lost this conveyance in the midst of a muddy swamp, he promptly replaced it with another one. It was in the early 1840s, also, that Stephens began to make acquisitions of both land and slaves, commodities avidly desired by almost all white southerners who had their eyes on the social ladder, but commodities beyond the reach of most men. In January 1841 Stephens purchased 175 acres of land on Lick Creek, part of the farm on which he had been raised. On this land he installed as caretaker-overseer, Thomas Ray, a genial but unambitious man who had married his father's cousin, Sabrina. Stephens added 267 more acres to the original plot in 1842. By 1853 the addition of three more parcels of land had brought the total to 920 acres. Throughout the 1840s Stephens augmented these Taliaferro county land purchases with extensive land speculations in other parts of the state and in other parts of the South. Toombs, who was also engaged in land speculation, doubtless lent Stephens the benefit of his counsel in some of these purchases. Eventually Stephens owned some 5,000 acres.

Because during this time Stephens was boarding at the home of Williamson Bird, he had no need of house servants. But the land he was acquiring in the county required labor to work it. Thus Alexander

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<sup>30</sup>Burch's letter to Stephens, dated 15 June 1839, proposing the partnership, is in the Ralph E. Wager Papers, EU; Johnston and Browne, Stephens, 148.

<sup>31</sup>Von Abele, Stephens, 73-74; Rabun, "Stephens," 165-66.

Stephens became a slaveholder. Ede, the slave he had inherited from his father, worked in the Bird household. He soon began to acquire others, whom he sent out to work on "the old homestead." By 1845, the year he bought the Bird House and its ten-acre lot, Stephens owned ten slaves. Once he bought a slave, Stephens apparently never sold one.<sup>31</sup> On the eve of his career in national politics, then, Stephens was well on his way to becoming a man who could command not only the respect but also the admiration, and perhaps the secret envy, of his neighbors. He had come a long way since the early days of poverty ten years before, and he would go farther yet.

In April 1842 Stephens fell dangerously ill once more, so ill, in fact, that members of his household actually feared for his life. From the symptoms he describes the sickness sounds like a serious pulmonary disorder. His pulse raced up to 120; coughing up a copious discharge from the lungs, Stephens also ran a high fever. Stephens' friend and regular physician, Dr. Foster, had moved to north Georgia in 1840, so the patient was his own doctor during this dangerous illness. Eating almost nothing, blistering his bony chest with tartar emetic, drinking an extract of liverwort to suppress his cough, and attempting, not very successfully, to draw fluid from his sides by "cupping," Stephens, by some miracle, managed to survive his own ministrations and recovered.<sup>32</sup>

It is hardly surprising that thoughts of death had occurred to Stephens during this illness; but, oddly enough, he was not depressed. "Life and death . . . should be regarded philosophically,"

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<sup>32</sup>Ibid., 66-67; Von Abele, ibid., 77. Stephens diagnosed the illness as a liver abscess, which "at length opened into the lungs, and was discharged that way." Johnston and Browne, Stephens, 151.

he wrote Linton. Life, as far as he was concerned, was but a preparation for death, and he was not sure if taking his "turn in advance" would not be "more agreeable" than lingering on.<sup>33</sup> But linger on he did. Indeed, after suffering an illness which had almost taken his life, Stephens now enjoyed the best health he had experienced since 1836.

It was a good thing that Stephens regarded philosophically the prospect of dying, because in his next campaign for office he was more than ready to risk death in a duel with his opponent. Duels were often the result of heated antebellum political campaigns in the South, and Stephens would do his very best several times in his career to get involved in one. He never did, but his campaign for the state senate in 1842 produced his first near miss. Stephens' opponent was a hard-drinking man named Felix Moore. Moore, for some reason which has been lost to history, genuinely hated Stephens, threatening one time to have Stephens brought to the town tavern where Moore intended to thrash him. On another occasion this believer in the direct approach, slightly in his cups at the time, challenged Stephens to a duel. The challenge was accepted immediately, but the whole affair blew over without incident the next day. Moore had regained his senses along with his sobriety. The results of the election must have been even more sobering to Moore. It was he who had been thrashed--by a vote of 295 to 102.<sup>34</sup>

The Whigs, although they had won a resounding victory in the

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<sup>33</sup>AHS to LS, 15 August 1842, Stephens Papers, MC.

<sup>34</sup>Ibid., 6 February 1842.

rumbustious "Log Cabin and Hard Cider" campaign of 1840, were a minority in the General Assembly in 1842. However sound from a financial standpoint their attempts to stifle relief and force economy on the state government had been, they had not been popular with the Georgia voters. Thus, the Whigs lost ground to the Democrats at the polls in both 1841 and 1842. Therefore, Stephens and Toombs, who had been reelected to the House, spent the better part of their time opposing Democratic schemes to revive the near-comatose Central Bank and defending the actions of John M. Berrien, the state's Whig senator in Washington.

Berrien had been elected by the Whig Assembly of 1840, but immediately upon gaining the majority themselves, the Democrats began a relentless chorus of criticism of Berrien and everything he did. What Berrien was doing that the Democrats found so terrible was supporting Henry Clay and the national Whigs' financial program. Not content with mere vocal censure, the Democratic majority formally instructed Berrien to vote against any bills for the establishment of a national Bank and for the repeal of all bills which distributed the national surplus to the states.

It should be noted that by this time, late 1842, the Georgia Whigs were firmly wedded to Henry Clay. Their recently-adjourned state convention had endorsed him for President in 1844, and the Whig papers of the state were feverishly engaged in attempts to convince the voters that Clay and the Whigs were safe, that a tariff for revenue was all that the Kentuckian had ever stood for, that stability in agriculture could only be assured by a sound national currency, and

that distribution of the federal surplus to the states was a fiscally sound and reponsible policy.

Stephens played no small part in this articulation of Whig principles, for he authored the minority report of the Senate Committee on the State of the Republic, which upheld Whig principles and defended Senator Berrien. This report had been drawn up in response to demands by both the Democratic governor and the Senate majority that Berrien resign his seat. Stephens' report is a long one, and is orthodox Whiggery from beginning to end.

The Stephens report defended Berrien, and denied, on constitutional grounds, the right of a state legislature to instruct a U. S. Senator. Stephens went on to deny flatly the Democratic assertion that the majority of the people of Georgia were opposed to either distribution of the federal surplus or "the utility and expediency of a National Bank." Nor did the majority of the people wish to destroy the veto power of the President. (Clay was then engaged in fierce battle with President John Tyler, trying to enact, in the face of repeated presidential vetoes, the Whig financial program.) Clay's proposed amendment to the Constitution, which would make it easier for Congress to override a presidential veto, was perfectly defensible, Stephens contended. On the tariff, Stephens expressed the formula that southern Whigs, in adhering to their low-tariff principles, had devised to assuage their consciences. "The opinions and principles of the Whig party upon the Tariff question . . . have undergone no change. . . . We are, and have been, in favor of a tariff for revenue



only. . . . so far as such a tariff incidentally encourages . . .  
or protects the domestic industry . . . it may do so."<sup>35</sup>

This report was to be Stephens' last significant contribution in the Assembly. A larger arena would soon require his services, for he would be elected to the U. S. House of Representatives in 1843. There he would spend the next sixteen years of his life. His own political apprenticeship was at an end, but the nation's trials were just beginning.

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<sup>35</sup>Murray, Whig Party in Georgia, 104-95; Johnston and Browne, Stephens, 157-67. Stephens was not a member of the committee but was asked to prepare the report, presumably because of his recognized abilities. AHS to LS, 17 June 1843, Stephens Papers, MC.

## CHAPTER IV

### RIDING THE TEXAS "HOBBY"

Throughout his years of service in the Georgia Assembly, Stephens' talents and his suitability for higher office had not gone unnoticed. As early as 1839 the Milledgeville Georgia Journal had wished for him, along with "an entire restoration to health," a seat in Congress.<sup>1</sup> Long before this, Dr. Foster had predicted that Stephens would achieve such an electoral honor, and in the summer of 1842 Foster reported that the people he had spoken to considered Stephens one of "the big men in Georgia." Evidently people in the western part of the state, near Hamilton, had come to the same conclusion even earlier. In 1839 John L. Stephens felt his brother out on the possibility of his consenting to run for Congress in 1840. The answer John had received then had been abrupt: "The world is no judge of a man's business." Stephens refused to run then, and again in 1842 when John L. begged him once more.<sup>2</sup>

However, in 1843 Stephens was of a different opinion. There was a vacancy in the Georgia congressional delegation. The seat had

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<sup>1</sup>Milledgeville Georgia Journal, 31 December 1839, quoted in Rabun, "Stephens," 111.

<sup>2</sup>Thomas Foster to AHS, 3 June 1842; John L. Stephens to AHS, 9 August 1839, 15 May 1842; AHS to John L. Stephens, 11 September 1839, Stephens Papers, DU.

belonged to Mark A. Cooper, an apostate from the State Rights party, who had defected to the Democrats in 1840. Cooper had been rewarded by his new associates with election to Congress in 1841, but now, being the Democratic candidate for governor, had resigned his seat.

Stephens, along with his friends Robert Toombs and George W. Crawford, were the Whig party's most dedicated trio of young zealots. Already prominent in the Georgia party by virtue of service on the executive committee in 1842, Stephens was an obvious choice for the party to run for Cooper's vacant seat--and it chose the obvious man in their 1843 convention. Crawford became the party's nominee for governor. The Whig platform was substantially an incorporation of Stephens' minority report to the Senate of the previous year.

Elections to Congress in Georgia were still conducted on a general or statewide ticket. The Whig-controlled national Congress, to be sure, had passed in 1842 a bill requiring all states not yet divided into congressional districts (and there were six other states besides Georgia) to do so. But Governor McDonald, a Democrat, had vetoed the Assembly's bill complying with this order. (The Democrats were in no particular hurry to comply. The previous election had sent eight of their own, and not a single Whig, to Congress.) The Whigs, of course, condemned this veto, but decided they had no choice but "to preserve the integrity of the law by defeating the Democratic candidate at the ballot box."<sup>3</sup>

Thus Stephens was forced to canvass a large portion of the state. Since the counties of middle Georgia were less fluid in their

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<sup>3</sup>Milledgeville Southern Recorder, 27 June 1843.

political loyalties than those to the north, Stephens and Crawford spent much of their time in the Cherokee counties. This northern tier of counties, twenty-two in number, contained about half of Georgia's population, but comparatively few slaves or plantations. Peopled by a sturdy, independent breed of yeoman farmers, who relished politics and skillful stump speaking, the Cherokee counties generally voted Democratic. But they contained enough voters of an independent turn of mind to merit the attention of anyone, even a Whig, aspiring to statewide office.

Stephens set out on his campaign in late July. So important did he consider it that he failed to attend the commencement ceremonies at Franklin College, where Linton was graduating with top honors. "Don't fail to commit your piece well," he advised his brother as he set out in his buggy for the north to do the same.

Stephens' opponent for the seat was a man named James H. Starke, whom Stephens met only once in debate during the campaign, at Jackson. At all the other little towns on the canvass--Cambellton, Rome, Marietta, Canton, and Newnan, among others--the Democrats trotted out other opponents to debate with Stephens. Some of them were big guns like Senator Walter T. Colquitt, Congressman William Stiles, and gubernatorial candidate Cooper, not to mention John H. Lumpkin and Howell Cobb. None, it seems, was able to daunt Stephens much on the stump. At Cassville, for example, Stephens claimed to have completely "used up" Stiles, leaving nothing of him but a "greasy spot." At Newnan he embarrassed Colquitt by showing that the Senator had voted against the same bill he was upbraiding Stephens for having voted

against. The campaign had even hotter moments.

At Spring Place, whence Cooper had come to correct what he called Stephens' "falsehoods and lies," the meeting broke up in a general row.<sup>4</sup> What had caused the fracas were, no doubt, Stephens' personal attacks on Cooper through the columns of the Chronicle and Sentinel. There was a residual antipathy between the two men anyway, dating back to a joint debate in Crawfordville in 1840; and since the Democrats were now castigating the Whigs as the party of the aristocrats, the banks, and the corporations in Georgia, Stephens took particular delight in pointing out that Cooper was himself an aristocrat, and a bank president to boot.

Generally, though, Stephens avoided personalities in the campaign, preferring instead to defend the national Whig program of tariffs, distribution, and a national bank. These policies, claimed Stephens, were no less than those of Washington, Madison, and other revered Founders. He was, he told the north Georgians, "a Democrat of the Washingtonian School" with no sympathy at all for "this modern Democracy" who were accusing Washington of laying violent hands on the Constitution by sanctioning a national bank.

Stephens was not sure such sophistry would sway the north Georgians. In fact, he thought it probable that he would lose the election. But, nevertheless, he was enjoying himself hugely. The excitement of the canvass, the hot controversy he was stirring up,

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<sup>4</sup>AHS to LS, 29 July, 16 August 1843, Stephens Papers, MC. Cooper quoted in Rabun, "Stephens," 119; E. Ramsay Richardson, Little Aleck: A Life of Alexander H. Stephens . . . (New York, 1932), 83.

and his triumphs on the stump were like an elixir to him. He was, as he had so fondly wished to do years before, enjoying his "argument daily." "I am in perfect spirits," he exulted to Linton, ". . . and enjoying myself well, never better."<sup>5</sup>

He proved to be a poor prophet regarding his own success, for he defeated Starke, 38,051 votes to 35,001 votes. His election was part of a general Whig triumph throughout the state. Crawford wrested the governor's chair from the Democrats by a similar margin, and the Whigs managed to win majorities in both houses of the legislature. Although this victory can be attributed partly to general dissatisfaction with the record of the Democratic administration, the Whigs also recognized their considerable debt to Stephens. His "laborious efforts" and "lucid explanations," said the Southern Recorder, deserved the gratitude of all the state's Whigs. And the leading Whig journal in the state, the Augusta Chronicle and Sentinel, dubbed Stephens "the Hero of Taliaferro"<sup>6</sup> for his contributions to the cause during the campaign.

But whatever joy Stephens may have felt from his victory and the accolades was rendered empty by yet another crippling personal loss. His brother Aaron died shortly after the election. Both Alexander and Linton had been with him when he died, and Stephens,

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<sup>5</sup>AHS to LS, 16 August 1843, Stephens Papers, MC; Augusta Chronicle and Sentinel, 22 August 1843.

<sup>6</sup>Milledgeville Southern Recorder, 23 September 1843; Augusta Chronicle and Sentinel, 14 October 1843. Election returns in Milledgeville Federal Union, 14 November 1843. Taliaferro county preferred Stephens to Starke by a margin of 426 to 40, an indication of how solidly Stephens (and the Whigs) were entrenched in his home territory.

to whom Aaron had always been a reliable helper and companion, plunged into an unfathomable sorrow. "Oh my brother," he wrote to John L., "you cannot imagine my agony." Thoughts of his brother's death and the mysterious workings of Providence were much on his mind as he embarked from Charleston in late November on the steamer voyage to Washington. "To live today, to be warm, to move, and think," he had written earlier that year, "and tomorrow to be cold and dead, devoid of mind and sense--fast mouldering into dust--only fit food for worms."<sup>7</sup> Stephens was given to such thoughts even in normal times; when a friend or loved one died, these thoughts were with him constantly. Thus, as the new congressman travelled to the first of his many terms in Congress, he was gloomy, obsessed by thoughts of death and decay.

For several weeks after his arrival, Stephens had yet another reason for gloom. He was sick and unable to get out of bed, much less attend Congress regularly. By January he was finally well enough for full-time activity, but was as despondent as ever. "I think I never passed a . . . period of such continued, unbroken, unmitigated, and unconsolable melancholly [*sic*] and depression in my life," he wrote, "as I have for the last three months past. And the future now looks as dark as ever."<sup>8</sup>

Nor did the activities of Congress, when he was finally well enough to attend the daily sessions, evoke much enthusiasm from him.

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<sup>7</sup>AHS to John L. Stephens, 8 October 1843 [misdated "September" in the original], Stephens Papers, EU; AHS to LS, 19 May 1843, Stephens Papers, MC.

<sup>8</sup>Augusta Chronicle and Sentinel, 8, 28, December 1843; AHS to John Bird, 2 January 1844, Ralph E. Wager Papers, EU. Stephens did

The House, when it was not engaged in debate over a repeal of its Twenty-first Rule, the so called "gag rule," requiring that the House automatically table abolitionist petitions, spent its time, according to Stephens, in "dry speeches for Buncombe on the improvement of Western Waters." And Linton, who was spending a few weeks with Alexander in Washington, quite agreed with his brother. The debates, he wrote, "would tire anybody to death."

Being a newcomer, Stephens was naturally given an unimportant committee assignment--Claims, a body handling the routine monetary claims of citizens against the government. The committee work hardly improved Stephens' disposition. The committee, said he, "are composed of the grandest set of blockheads . . . ever . . . associated." They had neither sense nor could they understand "the true merits of any question," he continued.<sup>9</sup> Of course, Stephens was sure he understood the true merits of any number of questions, and in the next few weeks he managed to get himself involved, both in Congress, and out of it, on the merits of two of them.

The first issue was the tariff. The Democratic press of Georgia had taken the Whigs severely to task for their revision of the Tariff of 1842. And Stephens, a prominent defender of the new tariff, they particularly castigated. Therefore, Stephens, although he claimed not to be in the least perturbed by "such squibs," took

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attend Congress on 11 December, apparently to take the oath. Congressional Globe, 28 Cong., 1st sess., 23. [Hereinafter cited as Cong. Globe.]

<sup>9</sup>AHS to George W. Crawford, 19 January 1844; LS to John L. Stephens, 20 January 1844, Stephens Papers, EU.



time out from his chess games with Linton and his other activities to pen a long letter defending the principle of incidental protection within a "tariff for revenue only." By the marvelous device of selective listing of duties, he demonstrated--to himself and host of Georgia Whigs, at least--that the tariff of 1842 (which had raised the overall rates back up to the level they had been ten years earlier) was actually less onerous in many respects than the one it had replaced.<sup>10</sup>

Perhaps fortunately for Stephens, the Democrats were soon diverted from further grappling with him on this issue by the rise of another issue, a bit more sensational, as it turned out. It arose from Stephens' first speech in Congress on 9 February 1844, a speech in which he argued that his own election to Congress had been unconstitutional, since it had contravened the act of Congress requiring the states to elect representatives by districts.<sup>11</sup> Stephens, as he would on countless future occasions, based his apparently strange position

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<sup>10</sup>AHS to "A gentleman of Lumpkin," 25 January 1844, in Milledgeville Southern Recorder, 27 February 1844.

<sup>11</sup>The Democrats, who controlled the House, 142-79, were perfectly content to overlook the fact that Georgia, as well as several other states, had disregarded the districting law. These states had returned eighteen Democrats to only two Georgia Whigs, Stephens and Absalom Chappell. Over the protests of the Whigs, the House Democrats seated all of the newly-elected congressmen from the general ticket states, and referred the matter to the Committee on Elections. This committee brought in a majority report declaring all the general ticket elections lawful and constitutional. Moreover, it took a slap at the Whigs by declaring the section of the act of 1842 requiring states to elect representatives by district unconstitutional. It was this report that Stephens was attacking in his speech. Rabun, "Stephens," 129-30. The speech is found in Cong. Globe, 28 Cong., 1st sess., Appendix, 196-201, and more conveniently in Cleveland, Stephens, 259-79.

on his own reading of the Constitution, and he buttressed his argument with an imposing array of authorities, from Madison to the journal of the first federal Congress. The power of Congress to require elections by district was certainly constitutional, he said, because "whatever power over regulation of elections is given primarily to the States . . . is also given ultimately to this government." But Congress was, by the Constitution, also the sole judge of the qualifications of its own members, and it could choose to seat or reject members elected on general tickets as it pleased. He professed to be indifferent as to whether Congress allowed him his seat or not. (There was little danger Congress would not. All the doubtful representatives were, in fact, declared duly elected the day after Stephens' speech.) Finally, he defended the district system of elections as being the most "equal" and giving "the minority in the State a voice in the national councils." Characteristically, he made one final point in favor of election by district: it was of "conservative tendency." That is, it tended to balance parties within states and neutralize the violence of factional clashes. As a check on the passions of men and sudden and severe oscillations of party majorities in Congress, the district system, he said, was most commendable.<sup>12</sup>

One of the Georgia Democrats who listened to the speech was William Stiles, whom Stephens had bested on the stump during the campaign. Stiles was angered enough to answer Stephens with a speech of his own, a speech replete with naked innuendoes against Stephens'

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<sup>12</sup>Cleveland, Stephens, 260, 278.

integrity for accepting a seat to which he had argued he was not constitutionally entitled.<sup>13</sup> This kind of abuse--and Stiles had indeed traversed the boundary of gentlemanly discourse--Stephens would never allow to go unanswered.

Waiting until the offensive speech was printed in the Globe, Stephens, because he would not, he said, profane the walls of the House with a personal quarrel, soon demonstrated that he had no such compunctions about profaning the columns of Georgia newspapers. In a card which was widely printed throughout the state, Stephens, whose clear intention was to provoke a duel, called Stiles "a knave by nature and a poltroon at heart." And if this were not enough, he continued, "If any apology be due for the language used . . . I can only say . . . that I was taught . . . that 'a fool should be answered according to his folly;" and my instinct tell[s] me that blackguard sometimes should be treated in a similar way."

Stiles refused to give Stephens the satisfaction he desired, contenting himself with a public letter which declared that Stephens was only "indulging in a parade of vulgar epithets, which his loss of position and unfortunate personal situation enable him to use with impunity."<sup>14</sup> This telling sally failed to end the unfortunate affair. Stephens, according to his lifelong custom, never let an opponent

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<sup>13</sup>Stiles' speech in Milledgeville Federal Union, 27 February 1844. The Democratic editor of this paper was delighted to see that Stephens, the "giant" of last year's canvass had turned out to be a "pigmy."

<sup>14</sup>Ibid., 19 March 1844.

have the last word. And he did not now. In one last blast, in which he likened Stiles to a "cur" and a "viper," the correspondence ended.<sup>15</sup>

All of this tasteless Stephens bluster was joyfully received by Georgia's Whigs. Governor Crawford wrote that he was pleased with Stephens' vitriol, as did an Oglethorpe county Whig, who told Stephens that Stiles had got just what he deserved. But perhaps the most objective comment on the whole proceeding came from Hope Hull, a Democratic editor and friend of Howell Cobb. Both men, he said, "have made themselves abundantly ridiculous. When two men abuse each other through the public press . . . the public are soon disposed to think them both what they say of each other."<sup>16</sup>

Stephens was heard from only once more during this session: on 8 May he defended the tariff of 1842 in a speech which, according to him at least, attracted more attention than the one on the district system. "I piled it down upon them for an hour," he wrote happily. The address was a measure of just how far he had come around to the view of Henry Clay. For he declared that one of the main objects of the Constitution, far from establishing free trade, as the Democrats were contending, was to protect the industries of the country. Moreover, he knew of no one in his section of the country who felt "oppressed" by the tariff, the stock charge of the anti-tariff southern Democrats.<sup>17</sup>

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<sup>15</sup>Augusta Chronicle and Sentinel, 14 March 1844.

<sup>16</sup>George F. Flott to AHS, 30 April 1844; George W. Crawford to AHS, 6 March 1844, Stephens Papers, LC; H. Hull to Howell Cobb, 30 March 1844, Cobb Papers, UG.

<sup>17</sup>AHS to LS, 8 May 1844, Stephens Papers, MC; Cong. Globe, 28th Cong., 1st sess., 592.

His sentiments sounded more emphatic than the diluted version of tariff doctrine the Whigs had been serving up in the South. Stephens was, in fact, taking a new tack. Quite simply, he was lining up his party squarely behind Clay. Eighteen-forty-four was a presidential election year--and the Georgia Whigs, with Stephens in the vanguard, had been for Clay since their summer convention of 1842.<sup>18</sup> But very shortly the cozy alliance between Clay and the southern Whigs was to be rudely jolted. And it was to come over an issue that, until now, had lain peacefully dormant. The issue was Texas, and whether that independent republic should be allowed to join the United States.

Heretofore, the proposal to annex Texas had not become a domestic political question. The matter had knocked around in diplomatic channels for some years, but Presidents Jackson and Van Buren had both studiously avoided putting the issue before the American people. They did so because the Texas question was political dynamite, sure to stir sectional animosities. For Texas allowed slavery, and the rising antislavery sentiment in the North was steadfastly opposed to any extension of American slave territory.

But President John Tyler and John C. Calhoun, his Secretary of State, had irretrievably changed the entire complexion of the problem by negotiating a treaty of annexation with the Texans, and

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<sup>18</sup>"... you don't know what a dust the Whigs have raised in the State[.] They have organized Clay Clubs & have disinterred the same old coon & boldly come out for a protective Tariff & even go beyond their great leader Mr. C[lay] on this subject," wrote one distracted Democrat. W. D. Watkins to Howell Cobb, 28 March 1844, Cobb Papers, UG.

submitting the treaty to the Senate for ratification. A mixture of motives had animated the two men, but Calhoun had succeeded in obscuring about all of them but one. In letters to British minister Packenham, which leaked to the press of the country, Calhoun had clearly indicated that Texas annexation was vital to the security of slavery in the South, and to southern political power in the Union. In effect, Calhoun's letter, which also contained a spirited defense of slavery as an institution, made slavery appear to be the controlling factor in the Administration's attempt to secure Texas.<sup>19</sup> An immediate and outraged plaint arose from the North--and it mattered little that many southerners, particularly southern Whigs, had perfectly good reasons of their own for opposing the annexation of Texas. Rational consideration of the issue, once the slavery question was involved, was practically impossible--by North or South. Thus did slavery become tangled with Texas, and Texas with the presidential campaign. Thus, too, did Henry Clay lose the White House.

Clay's position on the annexation issue was that of a statesman, particularly considering the fact that sentiment in his home state, Kentucky, was strongly in favor of acquiring Texas. Clay, five days after Tyler submitted the Texas treaty to the Senate, came out in his famous "Raleigh letter" against annexation. Annexation of Texas, he said, would compromise the national character, endanger the Union, involve the country in a certain war with Mexico, and was not sustained

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<sup>19</sup>See Fredrick Merk, Slavery and the Annexation of Texas (New York, 1972), 44-82.

by public opinion. Of course, Clay had not disregarded the political factors in coming to this decision. The opposition of northern Whigs to the project, plus the fact that annexation was desired by the hated Tyler, figured heavily in his calculations. And he was convinced, also, that his southern adherents would support his stand. "I am firmly convinced," he wrote a northern lieutenant, "that my opinion on the Texas question will do me no prejudice at the South."<sup>20</sup>

This turned out to be a sad miscalculation---but Clay had good reason to believe as he did. His Raleigh letter had been written from North Carolina, at the end of triumphal tour of the deep South. He had seen with his own eyes the frenzied affection in which he was held by the South. And it is quite possible that during the latter part of this tour--late March or early April--Clay met and talked with one of his most faithful southern supporters, Alexander H. Stephens. For Stephens, it is known, was absent from Washington on a trip home from 23 March to 13 April.<sup>21</sup>

At any rate, Stephens was one of those Whigs to whom Clay's chief Washington manager, John J. Crittenden, showed the Raleigh letter before publication. This was on 23 April, and Stephens pronounced the letter "full, clear, and satisfactory."<sup>22</sup> The reason Stephens

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<sup>20</sup>Washington National Intelligencer, 27 April 1844; Henry Clay to Thurlow Weed, 6 May 1844, Henry Clay Papers, DU. On the evolution of Clay's Texas stand, see George Rawlings Poage, Henry Clay and the Whig Party (Gloucester, Mass., 1965), 123-38.

<sup>21</sup>Glydon Van Deusen, Life of Henry Clay (Boston and Toronto, 1937), 365-67; Rabun, "Stephens," 138n.

<sup>22</sup>Henry Clay to John J. Crittenden, 17 April 1844, Crittenden Papers, LC; AHS to LS, 23 April 1844, Stephens Papers, MC. Stephens

could say this was because he realized that Clay did not intend to stand against Texas forever.<sup>23</sup> Moreover, he, like the rest of the party, fully expected Martin Van Buren to be their Democratic opponent in the election. And Van Buren, on the same day as Clay, also came out in a public letter opposing Texas annexation. Both party leaders, it seemed, had determined to keep the vexatious Texas issue out of the campaign.

It is a measure of Clay's hold on his party that he was unanimously nominated by the Whigs in their national convention on 1 May 1844. Stephens, who had attended the convention as a delegate, returned from Baltimore flushed with excitement and enthusiasm for the

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was the author of the resolutions that the Georgia Whig convention passed at their June convention upholding Clay's stand on Texas. Stephens, Recollections, 17.

<sup>23</sup>According to Stephens, writing in 1871, ibid., 17-18, he had spoken to Clay during his tour through Georgia and, upon hearing that he intended to come out with an anti-Texas letter, urged Clay not to do so. But he was brought around to Clay's "policy" when the Kentuckian assured him that he favored the annexation of Texas when it could be done without danger to the Union. And this goal he intended to accomplish during his administration. Hostile biographers of Stephens, Von Abele, Stephens, 87n., and Rabun, "Stephens," 138n., intent on besmirching Stephens' credibility have chosen to point up the seeming inconsistency between this statement and his sentiments expressed in the letter to Linton of 23 April cited above. Rabun even goes so far as to question whether Stephens even talked to Clay. Both, it seems to me, have overlooked the fact that Stephens upon first hearing of Clay's plan to publish an anti-Texas letter may well have voiced his opposition, and then changed his mind when Clay explained his reasons and "policy." Moreover, the fact that Clay chose to have Stephens see the Raleigh letter before its publication is strong circumstantial evidence that the two had met and discussed the matter. There is no evidence that Clay had met Stephens before this time, and he certainly would not have singled Stephens out by name to Crittenden without some reason. Stephens, after all, was just another freshman Whig congressman.



cause. The tariff, he told Linton, was the big question around Washington. Little was being said about Texas.<sup>24</sup>

Maybe not in Washington, but in Georgia, and especially among Democrats, there was a lot being said about Texas. "We must have Texas," wrote one Democrat to Howell Cobb. The Texas question, said another, "is our very life blood." Van Buren's letter had confounded the Georgia Democrats, and many were absolutely refusing to support him. So shocked were some that they even favored forming a third party behind an annexation candidate rather than support Van Buren. Among the Whigs, too, a somewhat similar situation, though on a much smaller scale, obtained. "A majority of them," conceded one knowledgeable Democrat, "would vote for [Clay] if he expressed the opinion that God Almighty was the Devil Incarnate; but I know men among them who declare . . . they are determined to go with us for a Texas candidate, if one should be run."<sup>25</sup>

The national Democrats certainly knew how to make hay while the sun was shining. When their convention met in Baltimore on 27 May, adamant southerners enforced the two-thirds rule and prevented Van Buren's nomination. In his stead, on the ninth ballot, the party nominated James K. Polk of Tennessee, ex-Speaker of the House, a friend of Andrew Jackson, and an outspoken expansionist. And the platform they adopted was militantly expansionist, too. Designed to appeal to the expansion-minded both North and South, it demanded "the reoccupation

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<sup>24</sup>AHS to LS, 4 May 1844, Stephens Papers, MC.

<sup>25</sup>W. D. Watkins to Howell Cobb, 28 March 1844; Wm Mitchell to Howell Cobb, 21 May 1844; James Jackson to Howell Cobb, 7 May 1844, Cobb Papers, UG.

of Oregon and the re-annexation of Texas at the earliest practicable period."<sup>26</sup> The issues of the election, it was clear, would involve something more this time than economics. The issues were firmly drawn-- and the slavery camel had poked its nose under the tent to see which way the American people would decide. A fateful era in American history had begun.

Several days before this convention, while Tyler's treaty still hung fire in the Senate (the treaty, hopelessly entangled with presidential politics and the slavery issue, was overwhelmingly defeated in the Senate on 8 June 1844), Alexander Stephens had dashed off an angry letter to a Georgia friend. Evidently Texas had now become the consuming topic of conversation in Washington, too, and Stephens was outdone. As far as he was concerned, "the whole annexation project is a miserable political humbug, got up as a ruse to divide and distract the Whig party at the South." Moreover, he thought Tyler capable of enough "meanness and perfidity" to push the treaty "to get up a Southern party" for himself; he suspected Calhoun of even baser motives, "an ulterior view . . . the dissolution of the present confederacy." And the Democrats were simply making as much political capital as possible out of the issue, "upon the old principle 'divide and conquer'." However, these base plots would fail, for he was more than sanguine about the chances for Clay's election--he thought it "inevitable."

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<sup>26</sup>Glydon Van Deusen, The Jacksonian Era (New York, 1959), 184-85.

Stephens, in this letter, was doing no more than echoing the Whig sentiment in Georgia. The Whig press of the state had generally accused Tyler of political motives in submitting the treaty, and, at first, indulged in the vain hope that "the people of this country will not regard this as a mere party question." Later in April, as the political dimensions of the Texas question became a good deal clearer, so did the Whigs' vision. "It seems pretty generally understood," said the Columbus Enquirer, "that this matter has been sprung upon the country to influence the presidential election . . . [it is nothing but] a trap to catch votes." As time passed, the Whigs' vehemence increased. Tyler, snorted the Southern Recorder, was an "artful and unscrupulous demagogue and partisan" who was simply attempting to distract the Whigs.

The Democrats, meanwhile, were keeping up a steady pressure on the very weakest point in the Whigs' armor: where, they demanded in a thousand variations, was the safety for the South and for slavery, if Texas were to remain out of the Union? Annexation, they claimed, was essential to protect slavery's western border. And the issue of annexation was preeminently a Southern question, upon which there could be neither division nor parties. The Whigs did their best to respond. This "'no party' cry is to delude the people," said the Savannah Republican angrily. Its whole purpose was to make a democrat president, and this applied particularly to the South, "because the grand movers believe we are so easily bamboozled on the subject of slavery--that when the subject is mentioned--reason--argument--

patriotism--everything gives way to a storm of passion."<sup>27</sup>

The Whigs, despite these arguments, knew very well that slavery easily bamboozled the voters, so in their state convention in June they were careful to enact a resolution--one that had been prepared by Stephens in Washington and sent down to Milledgeville--favoring the annexation of Texas at "the earliest practicable period consistent with the honor and faith of the nation." And they dared the Democrats to attack the qualification. Feeling that they had sufficiently secured themselves on their weakest flank (indeed, not wanting to discuss the annexation issue at all), they then attempted to turn the campaign into more familiar--and, for them, more comfortable--channels: the tariff and the bank questions.<sup>28</sup>

This was the situation, then, that confronted Stephens when, in early July, he returned to Georgia to campaign, both for his own seat--a comparatively easy task<sup>29</sup>---and for Henry Clay--a task of considerable difficulty. On his way home Stephens had delivered speeches

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<sup>27</sup>AHS to [James?] Thomas, 17 May 1844, Stephens Papers, LC; Columbus Enquirer, 3, 21 April 1844; Milledgeville Southern Recorder, 29 April 1844; Savannah Republican, 22 May 1844.

<sup>28</sup>Arthur C. Cole, The Whig Party in the South (Washington, 1914), 112-13; Murray, Whig Party in Georgia, 108-09. The report of Whig convention is in Milledgeville Southern Recorder, 2 July 1844.

<sup>29</sup>The state had finally complied with the districting provision of the law of 1842. Georgia was divided into eight congressional districts. The Whig-controlled Assembly had obligingly carved the 7th District out for Stephens. It contained ten counties: Baldwin, Butts, Greene, Jasper, Jones, Morgan, Oglethorpe, Putnam, Taliaferro, and Wilkinson. Four contained small Democratic majorities, and the rest were solidly Whig. The Assembly had done Toombs (who was now running for the U. S. Congress) an even better service. Of the ten counties in the 8th District, only one was Democratic.

for Clay at Richmond, Petersburg, Wilmington, Savannah, and Milledgeville. His Petersburg address may be cited as typical. It contained, of course, extravagant praise for Harry of the West, the patriotic Whig standard bearer--and denunciation of the Texas treaty. The latter had been "got up," he said, "by reckless ambitious aspirants for the Presidency" who meant to "dismember the Union and form a Southern confederacy." He would not oppose annexation himself, he continued, "at the proper time and in a proper manner," but was utterly unwilling to endanger the Union over the issue. The speaking trip was arduous for Stephens, for when he arrived back in Georgia, on 5 July, he was so weak and exhausted, he wrote, that he almost "broke down."<sup>30</sup>

The red clay soil of Georgia seemed to revive him, though, for he was soon heavily engaged in the campaign. Toombs and Stephens were the leading Whig speakers in the canvass, and everywhere their refrain was the same--Texas was a "humbug" got up to distract the voters from the real economic issues in the campaign. Toombs, as he was fain to do, threw caution completely to the winds, denouncing the Texas treaty as "morally indefensible and an attempt to despoil a weak neighbor."<sup>31</sup> The fact that one of Georgia's chief Whig spokesman found it necessary to damn annexation in such provocative and intemperate language only underscores the importance of the Texas issue that the Democrats continued to harp on. Texas was like a leech on the southern Whigs: they could not pull it off without bleeding, but at the same time, it

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<sup>30</sup>Columbus Enquirer, 2 July 1844; AHS to John L. Stephens, 5 July 1844, Stephens Papers, EU.

<sup>31</sup>Quoted in Murray, Whig Party in Georgia, 109.

steadily sapped their strength by drawing off the party's life blood, the simple dirt-farming voters who cared not a fig for national honor when the rights of the South were involved.

Since their own districts were safe, Stephens and other party luminaries ventured into enemy territory. Stephens, Berrien, and Toombs, for example, stumped the Sixth District, Cobb's home turf, attempting to offset Cobb's steady trumpeting of Texas. The Democrats in Alabama were likewise blaring the same notes. "I fear and tremble for Georgia," wrote one desponding Alabama Whig. "With us the night is dark [.] The Whigs are making a gallant effort for Clay . . . but the Texas question is one of great weight with us and the only weapon the democracy handles and the only one we have to meet." So Stephens, a potent weapon himself, ventured over into Alabama to bolster the Whig cause. He delivered at Montgomery "a great speech" to an audience that was amazed and delighted at the pale little congressman with the blazing eyes and the "shrill but musical" voice.<sup>32</sup>

Most of the Georgia stump speaking was performed before moderate crowds. McDonough, Irwinton, Goose Pond, Crawfordville, and Caney Creek Meeting House (some of the places that Stephens spoke) were, after all, not exactly populous cities. But, on occasion, both parties would sponsor monster rallies, drawing great crowds of farmers and their sun-bonneted ladies out to attend what amounted to a political circus. These gigantic affairs were virtually meat and drink to the

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<sup>32</sup>John Eddins Simpson, Howell Cobb: The Politics of Ambition (Chicago, 1973), 42; H. H. Armstrong to AHS, 28 July 1844, Stephens Papers, LC; Henry W. Hilliard, Politics and Pen Pictures at Home and Abroad (New York, 1892), 118.

sweating throngs of partisans, who sitting in what shade they could find, were treated to endless hours of oratory every bit as blistering as a Georgia summer's sun.

Such a rally was held for four solid days at the end of July in Madison. On the climactic day, 31 July, fully 25,000 persons attended, according to the ecstatic reporter of the Enquirer. The glee clubs, the band, and the booming cannon that announced the arrival of various delegations were not the only attractions. There were any number of fascinating sights to see: like the sixteen-wheel omnibus, drawn by eight yokes of oxen, that conveyed the distinguished delegation of Clarke county to its place on the grounds. Or the spectacle of J. J. Floyd, the candidate for Congress of the Fourth District, sitting astride his horse, and both being borne aloft by the enthusiastic crowd and carried forward to the stand. For refreshments there was "a plain, substantial, old fashioned barbeque spread on a table one mile and ten yards long." And, of course, there were almost continuous speeches. Speeches from out-of-state notables like Waddy Thompson and William C. Preston of South Carolina, and J. J. Hutchinson of Alabama. And speeches from every Whig of note in Georgia: Toombs, Berrien, William Dawson, and Charles J. Jenkins. Stephens delivered the last speech of the rally at the main stand (several had been set up to accomodate the crowd) and, said the reporter, "outdid himself."

"Our people are now fully up and aroused," Stephens had written resolutely two weeks prior to the Madison rally, "and this is all we

have ever wanted . . . to succeed at an election."<sup>33</sup>

He must have been even more confident at this magnificent demonstration of Whig solidarity. This year's presidential hoopla certainly resembled the "Log Cabin and Hard Cider" obfuscation that had borne the party to victory in 1840. But there the resemblance ended. This was 1844, and it would take more than extravaganzas, more than the tariff of 1842, more than appeals to national honor, more than eulogies to the Union, and yes, even more than Henry Clay, to carry this election for the Whigs. For the Democrats in the South were on the right side of an issue that no amount of Whig enthusiasm in the South could counteract, an issue that spurred one of the most powerful emotions affecting southerners--fear, fear for the safety of slavery, an institution upon which their economy, their prosperity, and indeed, so men believed, their very lives ultimately depended.

And it was this fear, finally, that tipped the political balance in 1844 in Polk's favor. Henry Clay failed to carry a single state in the deep South. In the process of losing to Polk, the Whigs dropped three southern states they had carried in 1840: Louisiana, Mississippi, and Georgia. In the last state, the popular vote appears deceptively close--44,153 - 42,116--until one realizes the magnitude of Democratic gains over 1840. There were, in Georgia, 14,032 more ballots cast in 1844 than in 1840, and of these, 12,170 (almost 87 percent) were Democratic. The final count in the Electoral College was 170 votes for Polk, 105 votes for Clay, but the popular vote figures for the

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<sup>33</sup>Rabun, "Stephens," 142; Columbus Enquirer, 7 August 1844; AHS to [James?] Thomas, 16 July 1844, Stephens Papers, LC.



nation were much closer. Polk, in fact, was a minority president. Nationwide, he achieved only a 38,000 vote majority over Clay.<sup>34</sup> But the field had also included a third party candidate, James G. Birney, who ran for the Liberty party, an organization that was avowedly anti-slavery. This party polled slightly over 62,000 votes, hardly a staggering figure. But, the party had proven to be the decisive element in New York state, garnering enough support in a close race to deprive Clay of victory. Had Clay won New York state (and only a little over 5,000 votes separated him from Polk), he would have won the election.<sup>35</sup>

In Georgia the Whigs won four of the eight congressional seats. Once again the familiar cleavage between the rich river-bottom, middle Georgia counties and the small farmer areas of the state remained intact. Stephens easily won in the Seventh District by almost a thousand votes. Toombs did even better in the neighboring Eighth District. At the same time, in the Fifth and Sixth Districts of North Georgia, Democrats Howell Cobb and Joseph H. Lumpkin romped to victory by a combined majority of almost 5,000.

Georgia Whigs had been sorely thumped--and they knew it.

"The Whigs are badly beaten," wrote Stephens, "but not vanguished."

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<sup>34</sup>W. Dean Burnham, Presidential Ballots 1836-1892 (Baltimore, 1955), 332, 246.

<sup>35</sup>This fact about the election of 1844 has become so commonplace as to almost be a truism. What is not so often noticed is that the Liberty party vote deprived Clay of Michigan's five electoral votes also. Had the Whigs won Michigan, Louisiana, Mississippi, and Georgia--all states which they had captured in 1840--Clay could have lost New York and still won the election. Clearly the expansion issue and the slavery issue (the two were intimately, if not always clearly, connected) had beaten the Whigs.

They have only been taught a lesson never again to be too sanguine." Another careful observer also blamed "the too-pervading confidence & security, which spread all over the State." But he discerned yet another reason for the Whigs' misfortunes. "One of the chief schemes against us," he explained, "was . . . the charge of coalition with 'abolitionism'." It was a charge, he continued, that should be brought to bear on the northern Democrats.<sup>36</sup>

The southern Whigs were learning their lesson, and fast. For voter appeal, neither the Bank nor the tariff nor distribution--indeed, the entire Whig economic program--could hold a candle to slavery. It was a lesson they never forgot.

Alexander Stephens returned to Washington, the "great sewer of political filth," in early December--with his mood about as cheery as his metaphor. The election's results still rankled. Henry Clay, in his opinion, "the ablest of American statesmen," had been "most shamefully sacrificed" by a coalition of northern Democrats and abolitionists. This same coalition (at least in Stephens' opinion), had finally succeeded in the first days of the session in repealing the House's Twenty-first rule, the "gag rule." And now, to his disgust, he saw the outlines of a bargain between northern and southern Democrats taking shape. The former would get a tariff, while the latter would get Texas. "So the monster will be grinned at a little longer

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<sup>36</sup>Murray, Whig Party in Georgia, 109-10; AHS to George W. Crawford, 18 November 1844, Stephens Papers, DU; James E. Hamby to Thomas Butler King, 22 October 1844, Thomas Butler King Papers, SHC/NC.

and indured [sic], while we shall have a great addition to the 'area of freedom.'"

Stephens' scorn for Democratic politicking did not, however, extend to individual Democrats. Two of his closest associates during this session were Howell Cobb and John Lumpkin, both rollicking, jovial sorts. The trio often spent time together, visiting each other's rooms, joking and laughing on long walks around the city. Stephens had moved to a new boarding house, Mrs. Carter's, on Capitol Hill. It was common in those days for members of Washington's political community to live together in boarding houses--"messes," they were called. Stephens, for twelve dollars a week, had the privilege of messing with Chief Justice Roger B. Taney and Associate Justices John McKinley, Joseph Story, and John McLean of the Supreme Court. Quite a few other congressmen were there, too: Milton Brown of Tennessee, Henry Grider of Kentucky, Jacob Collamer of Vermont, plus two or three others.

Stephens' room was upstairs. It was sparsely but adequately furnished: a big four-poster bed, a table for the profusion of paper-work, a few chairs, a spittoon, a washbasin and ewer. Breakfast was at nine in the large common dining room. Dinner was at four, and tea was served at six. (Stephens found the greater variety of Mrs. Carter's table to his liking. He was even able to eat sausage without violent protests from his stomach; something, he remarked, that he had not been able to do for eight years.)

Stephens, a creature of regular habits, arose promptly at eight-thirty. He spent ten minutes or so beside the fireplace, almost completely swallowed up in the depths of large, cushioned, calico-

covered chair, scanning the morning papers--"just to see if there is anything new to talk about at breakfast," he explained. After breakfast he returned to his room, smoked two or three cigars, finished the papers, and read "miscellaneous matter" until the day's session of Congress opened at noon. He was back shortly after three, and from then until seven, taking time out for dinner and tea, he worked on his correspondence--sometimes twenty or twenty-five letters a day. Then he would read some more, and retire at midnight.<sup>37</sup>

Stephens was a voracious, if not very adventuresome, reader. Light reading he never much cared for. It was not until he reached middle age that he read much fiction. Sir Walter Scott he liked, and Jonathan Swift. His favorite poets were Burns, Pope, and Byron. He frequently quoted Pope's heroic couplets, or melancholy passages from the other two. What he most liked to read was history and constitutional treatises. Wheeler's History of Congress, for example, or Story's Commentaries on the Constitution. He read all the debates on the ratification of the Constitution he could get his hands on, and Hickey's Constitution of the United States, Guizot's History of Civilization, deVolney on ancient history, Sir John Wilinison on ancient Egypt, Edmund Burke on the French Revolution, and de Tocqueville on the United States. Along with various travel accounts, Stephens also read a miscellaneous grab bag of genuine classics: Plato's Republic, Adam Smith's Wealth of Nations, Boswell's Johnson,

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<sup>37</sup>AHS to LS, 2, 4, 5, 6, 20 December 1844, Stephens Papers, MC.

and Milton's Paradise Lost. Not surprisingly, he also found time to read Burton's Anatomy of Melancholy.<sup>38</sup>

Melancholy he certainly was this December. Although he was in as good health as he would ever be, Stephens was sad. Even Christmas gaiety failed to cheer him up. He would spend Christmas, he told Linton, "in a far more comfortable way . . . remaining in my room 'solitary and alone' by a good warm fire, musing over the past and pondering the future." Naturally, it was a bleak future he foresaw. A year had gone by, he reflected:

and I am near the same spot, still thinking intensely, and gazing in wonder at the changes around me--just as I would gaze at the progress and wreck of a whirlwind--for very similar is the march of time . . . it is almost impossible to resist the wind or to count upon the exact extent of its wrecks as to count upon the devastation of time . . . its blasting and destroying effects upon man's prospects hopes and ambitions.<sup>39</sup>

Stephens was not referring to political winds, but certainly their blasts had been devastating enough to southern Whigs. The Texas wind continued to blow, fanned now by a new scheme of President Tyler's to annex the Lone Star Republic. After the dismal failure of his treaty, Tyler had waited until the election results were in. He decided they represented the will of the nation, and, in his message to Congress in December, initiated a move to annex Texas by means of a joint resolution of Congress, a method which would require only a simple majority of both houses to get Texas in. To accomplish this, a spate of bills and resolutions were introduced in Congress, differing

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<sup>38</sup>Rabun, "Stephens," 126-27.

<sup>39</sup>AHS to LS, 24 December 1844, Stephens Papers, MC.

one from the other only in the different modes of dealing with the slavery question in Texas.

Stephens, like every other southern Whig, was in a severe squeeze. The path of pure principle on the matter was, of course, continued opposition to annexation. And there were several perfectly good principles one could apply to the case. The Texas question was fraught with peril for the unity of the Whig party. Northern Whigs, almost without exception, opposed Texas on the ground that it was solely a plot to extend slavery. For some, who identified the continued health of the Whig party as synonymous with the continued health of the nation, the Texas question presented grave questions as to the future of the Union itself. Furthermore, annexation would almost certainly involve the United States in a war with Mexico. There were any number of constitutional questions that arose over the mode of annexation being proposed, and some like Senator John Berrien of Georgia, were firmly convinced that Congress could constitutionally annex territory only by a two-thirds vote of the Senate. There were also less cogent, but still powerful, arguments to consider. Annexation was not only a Democratic project, and therefore odious by definition; but it was also a Tyler project, and therefore a stench in the nostrils of any orthodox Whig.

On the other hand, the Whigs of the South were being pushed by a powerful public current at home in favor of annexation. The Democrats, in the recently-completed campaign, had demanded Texas on the ground that it was essential to southern safety, an argument that the Whigs could ignore only at their peril; and the grounds of northern opposition

to Texas, that its annexation would extend the pernicious institution of slavery, as well as increase southern political power, made opposition to the measure extremely difficult.<sup>40</sup> In the end, Stephens would support annexation, but he would not come to this position very easily.

It must be remembered that Stephens was not opposed to the eventual annexation of Texas. However, he had deprecated the use of the issue as a political weapon. After having been pummelled with this weapon throughout the campaign, though, he certainly had no desire to see the Democrats get another opportunity to use it. His own political fortunes, and those of his party, required a swift resolution of the issue. He was receiving powerful reminders of this fact from home. "A few word[s] to the wise is sufficient," wrote one Alabama Whig. "I think you the Whig leaders in Congress has [sic] as well dispose of this question at once and let the Southern Whigs go for annexation immediately if not sooner for we can never come to power until that question is settled." Stephens could not have agreed more. "I do sincerely wish this matter were settled," he wrote Governor Crawford. He considered annexation as "almost certain," and, he added, "upon proper principles I think it ought to be done."

It was these "proper principles" that seem to have been Stephens' stumbling block. In early January he still had not made up his mind what they were. Beseeched by some of his colleagues to speak on the measure, he refused. "I may say 'some foolish thing,'" he told Linton, "that I may hereafter be brought to see was wrong." He

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<sup>40</sup>Cooper, "The Politics of Slavery," 252-55.

was quite certain that the United States could not acquire territory by treaty, "the opinion of Mr. Jefferson to the contrary notwithstanding." He was not quite sure whether Congress could create new states out of existing territory by legislation. Moreover, just how far national honor required the United States to regard the claims of Mexico was a question.<sup>41</sup> He did, however, think this last point somewhat mooted by the revolution then going on in Mexico.<sup>42</sup> On another point, though, Stephens was certain. Considering "the policy of the measure," he wrote, " . . . it can be of no advantage to the Southern section of the Union, to their material interest."

It is hard to resist the conclusion that, finally, political factors loomed largest in Stephens' support of annexation. Toombs, for example, was in as much of a constitutional quandry as his friend, yet he advised, "I would decide it in favour of the popular will . . . and go for Foster's plan."<sup>43</sup> The plan he was referring to here had been introduced on 13 January into the Senate by Ephraim Foster of Tennessee. Foster's colleague in the House, Milton Brown, introduced an identical set of resolutions. These were the resolutions which were destined, as it turned out, to bring Texas into the Union.

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<sup>41</sup>H. M. Cunningham to AHS, 21 December 1844, Stephens Papers, LC; AHS to George W. Crawford, 23 December 1844, ibid., DU; AHS to LS, 5 January 1845, ibid., MC.

<sup>42</sup>"The merits of the case seem very much changed since the news of the Revolution in Mexico and the condition of that country-- at least so far as annexation would interfere with our relations with that country. For Texas seems to be quite as perm[an]ent a Government and much more independent and stable at this time than Mexico." AHS to John Bird, 10 January 1845, ibid., EU.

<sup>43</sup>AHS to LS, 5 January 1845, Stephens Papers, MC; Robert Toombs to AHS, 24 January 1845, U. B. Phillips, ed., The Correspondence of



What they did was propose to admit Texas into the Union as a state, bypassing altogether any territorial stage. The new state would retain both her public debts and her public lands. New states, with Texas' consent, might be formed out of her territory. The slavery question was to be settled by allowing Texas, or any new states formed out of her lying below the Missouri compromise line of 36°30', "to come into the Union with or without slavery as the people of each State . . . may desire."<sup>44</sup>

Stephens later claimed that these resolutions had been drawn up by Brown "after consultation and advisement with me exactly on the basis I had maintained in Georgia in the canvass of 1844." This is very likely true, for Brown was a messmate of Stephens' at Mrs. Carter's. Moreover, a few days before the resolutions were introduced, Stephens had written to John Bird that the best way of avoiding the slavery question, and the question of debt assumption, was to admit Texas as a state.<sup>45</sup> This is exactly what Brown's resolutions proposed to do.

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Robert Toombs, Alexander Stephens, and Howell Cobb, Vol. II of The Annual Report of the American Historical Association for the Year 1911 (Washington, 1912), 61. [Cited hereinafter as TSC Corr.]

<sup>44</sup>Cong. Globe, 28th Cong., 2d sess., 129-30.

<sup>45</sup>AHS to Robert Sims Burch, 15 June 1854, American Historical Review 8 (October, 1902): 94; AHS to John Bird, 10 January 1845, Stephens Papers, EU. In 1871, Stephens was much more categorical about his role in the Texas annexation. "Texas was brought in as she was by my stand in the House. I got Milton Brown, of Tennessee, an old Member, and six or seven so-called Southern Whigs to stand with me. We, as the House was constituted, held the balance of power, and compelled the Democratic side . . . to come to our terms." Recollections, 18. There are a couple of pieces of contemporary evidence that seem to bear Stephens out. On 14 January 1845, Stephens wrote to George W. Crawford that if any plan was agreed upon by the majority, he would vote for it. ". . . it is thought at present that we [the Southern Whigs] hold the balance of power." Francis W. Pickens Papers, DU. On

Up to this point Stephens had held his peace on the floor of the House, content, while his own mind was still not made up, to listen to endless speeches on Texas which reverberated about the House's acoustically-abominable chamber during the month of January. Not that he was pleased by what he had been hearing. On 22 January, he wrote to Linton that he found "the constant din of broken processes of rationalization . . . exceedingly excruciating."<sup>46</sup> Now, on the twenty-fifth, Stephens decided to contribute to the din himself. He spoke for one hour. And he supported Texas annexation--if done on proper principles.

The principles that most concerned him were two: first, that a proper adjustment of the slavery question be made; and second, that the Federal government not assume the Texas debts. The plan of the House Committee on Foreign Affairs, then under consideration, met neither of these goals. Unless the slavery question were settled before annexation, said Stephens, "the agitation of the question hereafter may endanger the harmony and even existence of our present Union." He then took a swipe at John Calhoun. The official correspondence on the subject "has placed the annexation . . . upon the ground

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27 January 1845, Stephens wrote to Linton, "I send you a letter I have got from Toombs. [i.e. Toombs' letter of the 24th in which he advised deciding the question in accordance with the popular will by going for Foster's plan.] Aint he a 'queer chick'? And as good as Xenophon on a retreat? Going to fall back upon my resolution at last, and thinks it was well enough as it has turned out." Stephens Papers, MC. Rabun, "Stephens," 152n. professes to see ambiguity in this letter. To me, the matter is perfectly clear. What other resolutions could Stephens be referring to but those of Brown?

<sup>46</sup>AHS to LS, 22 January 1845, Stephens Papers, MC.

of its being necessary to strengthen . . . slavery in the States; and for this object . . . this Government is called upon to act and legislate in the case." He objected to this on classic southern grounds--that the Federal government had no power to legislate on slavery at all. To grant it the power to strengthen slavery would, perforce, also grant it the power to weaken it.

On the matter of assuming Texas' debt, Stephens took typical Whig ground, that is, the ground of fiscal responsibility. There were other obligations that the government had not yet discharged, he argued, and these must be attended to first. Besides, it was not clearly determined exactly what Texas' debts amounted to. He was unwilling to assume an unknown or open-ended financial obligation.

All of the various annexation plans that had hitherto been offered, he went on, ran up against one or the other of his objections--except one plan, the resolutions offered by Brown. Brown's plan not only left the Texas debt in the state, but it satisfactorily disposed of the slavery question, leaving "no door open for future mischief, discord, and strife from that quarter."

There then followed a long constitutional disquisition in which Stephens attempted to meet objections that Congress could not acquire territory by resolution. Congress was not "acquiring territory" he explained, but "permitting another State to come into the Union, with all her lands . . . belonging to herself." The addition of Texas would be an "enlargement of the confederated Republic," just as when Rhode Island and North Carolina joined the Union after their ratifications of the Constitution.

Stephens went on to explain his reasons for favoring annexation. Of the several he offered, the last was the most interesting. It was tailored for home consumption. Acquisition of Texas, he said, "will give us political weight and importance . . . additional power to the south-western section in the national councils." As for annexation to extend slavery, he said he would oppose it if it were being done solely for this purpose. "I am no defender of slavery in the abstract," he said. He would be happy to see the blessings of the Declaration of Independence extended to "all the sons of Adam's family." But "stern necessity," decreed by the Creator, here interposed. "Slavery already exists in Texas, and will continue to exist there. The same necessity that prevails in the Southern States prevails there, and will prevail wherever the Anglo-Saxon and African races are blended together in the same proportions."<sup>47</sup>

Stephens would receive a lot of criticism in the coming years for these last remarks, but there is no real reason to question his sincerity. As previously indicated, Stephens had condemned the slave trade, and this speech is ample proof that he had not yet embraced--indeed, if he ever would--all the tenets of the "positive good" justification for slavery. Stephens consistently stressed the race control aspects of the institution. It was inconceivable to him then, as it would be throughout the antebellum period, that any system other than complete subordination of the black race to the white through slavery could produce stability. "Truth," he had stated in this same speech,

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<sup>47</sup>The speech is in Cong. Globe, 28th Cong., 2d sess., Appendix, 309-14.

"is fixed, indelible, immutable, and eternal; unbending to time, circumstances, and interests."<sup>48</sup> Black inferiority and subordination to the white race were "stern necessity," but these regrettable realities were also indelible, immutable Truth. Holding such beliefs, a man could honestly say that he did not defend slavery as an abstract question. But Stephens' version of what was "abstract" could be abstract, indeed; and when slavery had to be considered as a concrete, political question, involving the "rights" of the South--that, as will be seen, was quite another matter.

Stephens' vote, later that day, helped pass Brown's resolutions, 122-98. Eight southern Whigs combined with Democrats to carry the measure. Whether or not Stephens' oratory had actually helped to accomplish this cannot be known, but he firmly believed it had. "I . . . made one of the best speeches I ever made," he crowed to Linton. "You never heard me make half such a speech." The southern Whigs, he told his brother John, had been decisive, forcing the Democrats "to take our terms . . . or none at all."<sup>49</sup> This, of course, was gloss. It was typical of Stephens to exaggerate his own importance in such matters. Texas would have come into the Union eventually no matter what Stephens did. What he did not say was more to the point. He had assumed an advanced position in the state party--and it was Georgia's Whigs who were being forced to take his terms, or none at all.

Stephens, by voting for annexation, had taken a carefully

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<sup>48</sup>Ibid., 311.

<sup>49</sup>AHS to John L. Stephens, 31 January 1845, Stephens Papers, EU: AHS to LS, 25 January 1845, ibid., MC.

measured risk. Convinced that the Texas question would plague the Whigs in every canvass until it had been satisfactorily disposed of, he had, by his bold stroke and conspicuous deviation from the party line, attempted to bolster his own party's fortunes at home by settling the question once and for all.<sup>50</sup>

The Brown resolutions did eventually bring Texas into the Union. To them, the Senate had added a provision allowing Tyler a choice: annexation by means of the resolutions, or a renegotiation of the treaty. The general feeling was that Tyler would allow Polk, the incoming president to decide. But John Tyler was not to be deprived of his long-sought goal. The day before he left office, 3 March 1845, he sent a messenger to Texas offering annexation by joint resolution. Polk, upon assuming the presidency, allowed the action to stand. Thus, through a tortuous process, rife with intrigue, Texas sidled into the American Union. Unfortunately, the annexation did little to calm a distracted country. Nor did it immediately calm some of Georgia's Whigs.

Senator John Berrien, one of Georgia's top Whigs, was, and remained, a staunch opponent of Texas' annexation. He, like many in the party, based his opposition on constitutional grounds. The Senate, he declared, by a two-thirds vote was the only body constitutionally empowered to acquire territory. Therefore, the Senator and his closest supporters were shocked by the votes of Georgia's two Whig representatives

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<sup>50</sup> Charles J. Jenkins to John M. Berrien, 3 February 1845, Berrien Papers, SHC/NC.

--for Duncan Clinch, the other representative, had joined Stephens in voting for the resolution of annexation.

From Augusta, Charles J. Jenkins reported that the Whigs there were surprised and displeased. Jenkins was very suspicious, too. He found it impossible to believe that Stephens would have taken such action without "previous advisement with numerous Whigs of the State." He thought he detected a concentrated move afoot for the "shrewd & wily" Stephens to assume the leadership of the middle Georgia Whigs, who would then run Clinch for governor. (Berrien, it should be noted, was from Savannah and a representative of the southern branch of the state party.) The Whigs of the state, he feared, would be torn into two factions over the issue. Toombs, too, had the same fears. "I fear nothing now can save us from total wreck on this ill-starred Texas question," he told Berrien. "If their [Stephens' and Clinch's] votes would have settled the question, I think the party would have gained by their course in Georgia, but as the fight is likely to continue, I think it will do us much damage."<sup>51</sup>

Bob Toombs, however, did not believe that his friend Stephens had acted on advice from home. Indeed, judging from Stephens' own anxiety to find out what Georgia Whig opinion was, plus some of the expressions of disapproval that began to arrive in the mail, it seems obvious that his vote on the annexation resolutions had been made without the prior approval of Georgia's Whig leaders. Even Jenkins, one of Berrien's men, eventually came to believe that Stephens had pursued

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<sup>51</sup>Ibid.; Robert Toombs to John M. Berrien, 13 February 1845, ibid.

an "adventurous" course.<sup>52</sup>

Adventurous or not, Stephens had accurately gauged the sentiment of most Georgians. What points he lost among the Whigs, he picked up among the Democrats. Some of the latter, like the editor of the Constitutionalist, were patronizing, congratulating Stephens on his belated recognition of the right course. Others thought that he deserved "sincere thanks. . . . His superior love of country to party entitles him to great credit."

And Stephens had not misjudged most of the Whigs. Toombs, although still concerned about a possible rift in the party, wrote to him: "The Whigs generally, indeed universally . . . are satisfied with the course of yourself and Clinch on the Texas question." Many in the party, he continued, including himself, differed with Stephens on the constitutional question, but all were pleased with the terms of the annexation because they were "very favourable to the South."<sup>53</sup>

In the end, it was this consideration that overrode all others.

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<sup>52</sup>Charles J. Jenkins to John M. Berrien, 15 February 1845, ibid.; AHS to [James?] Thomas, 11 February 1845, Stephens Papers, LC; AHS to John L. Stephens, ibid., EU. For expressions of Whig disapproval of Stephens' vote, see S. T. Chapman to AHS, 4 February 1845, Stephens Papers, LC; Robert Burch to AHS, 8 February 1845, ibid., MC; Augusta Chronicle and Sentinel, 17 February 1845, stated that though it differed with Stephens on the question, it thought his views deserved a respectful hearing. Editor James M. Jones of the Chronicle was a close personal friend of Stephens. For Jenkins comment, see Charles J. Jenkins to John M. Berrien, 22 April 1845, Berrien Papers, SHC/NC.

<sup>53</sup>Augusta Constitutionalist, 17 June 1845; J. W. Burney to Howell Cobb, 31 January 1845, TSC Corr., 62; Robert Toombs to AHS, 16 February 1845, ibid., 64.



There was no split in the Georgia Whig party, although Berrien supporters remained disgruntled. Stephens had recognized the Texas question for what it was--a sectional question, a question which ultimately outweighed any constitutional quibbles on the means of increasing southern power in the Union. He realized also that in 1844 the Democrats had vaulted to victory in Georgia because the Whigs had lagged on this issue.

One Georgia Whig, writing to Stephens to congratulate him for his vote on the Texas resolutions, said: "We want no more political hob[b]lies for the democracy to ride into office on."<sup>54</sup> Stephens quite agreed. He knew that, to survive in Georgia, the Whigs would have to be right on southern questions. And get right they would, Stephens decided, under his lead, if necessary--even if John M. Berrien disapproved. So Stephens, convinced that he was right, took the lead. And when Alexander Stephens was convinced he was right, nothing short of an act of God could get him to change his course.

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<sup>54</sup>Gabriel T. Spearman to AHS, 4 March 1845, Stephens Papers, MC.

## CHAPTER V

### A WHOLE CATALOGUE OF EVILS

At one a.m. on 27 February 1845 Stephens stepped off the train at Crawfordville. It was a crisp, clear night, and for a long while the little congressman stood motionless on the station platform. The night was gorgeous and as still as death. And it was death that occupied Stephens' thoughts. The shimmering pinpricks of light in the cloudless sky were as thousands of reminders to him of a changeless, stable world out there beyond his present. He was thinking, perhaps, of Aaron, or of Williamson Bird and his wife, the people with whom he had lived since 1834. Bird had died in 1843, and this past winter his wife had died also.<sup>1</sup> "Those I used to look out for on my return,"

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<sup>1</sup>This is an inference based on the most plausible reading of the evidence. Johnston and Browne, Stephens, 194, say that both Bird and his wife died during the winter of 1844-45. However the "Inventory and Appraisement of the Estate of Williamson Bird" and the record of the sale of perishable property from the estate both prove that Bird died in 1843. These documents are in Martha F. Norwood, Liberty Hall, 184-92. But it seems likely that Mrs. Bird survived her husband, at least until the following winter. The sale papers, cited above, indicate that Alexander Stephens bought 896 lbs. of salt pork and 20 barrels of corn "for Mrs. Bird." This, together with the fact that the house and lot were not sold until 6 March 1845, indicates that Harlow Bird did not die until the winter of 1844-45, and probably not until a few days before Stephens returned from Washington. The house and lot were willed by Bird to his wife, and were not sold with his other property in 1843. Bird's will is in ibid., 51-52. Norwood, relying on an interview with James Z. Rabun, partially corrects the error but stated, 51, that both had died in 1843. To accept this, however, leaves two troublesome questions: 1. Why were the house and lot not sold in

he told Linton, "are not here. They are dead and gone. And the thought almost overpowers me." He was too melancholy even to write, he said.

In 1839 Stephens had been appointed executor of Bird's will, and within a week after his return, he had bought Bird's house and lot "for \$250 credit until Christmas."<sup>2</sup> This was the house in which he would live for the rest of his life. It faced south, and was on a small rise a few hundred yards from where the tracks of the Georgia Railroad bisected the town. The house was of the simplest construction: a two-story gable-roofed structure, with a four-over-four central hall plan. The hall ran the length of the house. Outside there were four chimneys. During the summer Stephens spent several hundred dollars improving the place: repainting, reroofing, and repapering. He also added at the front door a small, one-story portico with white Tuscan columns--his only bow to the contemporary mania among prosperous southerners for Greek-revival architecture. The grounds (ten acres had come with the house) were amply shaded by a magnificent stand of oak, hickory, and locust trees.

John L. Bird, Williamson's son, continued to live at the house, as did Quinea O'Neal, the Clerk of the Court of Ordinary, known affectionately around town as "the Parson" on account of his prim rectitude. Later in 1845 a young lawyer, George Bristow, whom Stephens had helped through

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February, 1843? and 2. What was the proximate cause of Stephens' profound sorrow upon his return home in February, 1845? It seems reasonable to suppose that Mrs. Bird had just died. This would answer both questions.

<sup>2</sup>AHS to LS, 28 February, 6 March 1845, Stephens Papers, MC.

school and educated in the law, moved in. Then in 1846, Linton, finally finished with his own training in the law, moved in also. Stephens, until 1859, referred to his home, logically enough, as "Bachelor's Hall." Indeed it was. Although his extended family soon included any number of female relatives who would have relished the chance of keeping house for him, he apparently wanted none of them around. Martha Bird, John's sister, stayed briefly after the death of her parents, but soon moved out and left the place to the care of Old Mat, a black slave. Mat, who cooked, stocked the pantry, and ran the household, was, like her successors Eliza and Dora, given free rein to perform her duties as she saw fit. She and her husband, Dick, lived in a small cabin in the back yard.

Stephens never kept more than four or five blacks about the household. And of household servants he required the strictest probity. Drunkenness, for example, meant banishment to the "back lot"--field work. On one occasion, after repeated offenses, Stephens did so banish Bob, the handyman, to the fields. "It is strange," he told Linton after the incident, "that a negroe does not know when they are well off. . . . They soon become spoiled and make fools of themselves."<sup>3</sup>

But Stephens did not often speak this way of his slaves. More often he was kind to them, and patient with their faults, sometimes with faults far more serious than proneness to drink.<sup>4</sup> For all

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<sup>3</sup>Norwood, Liberty Hall, 18-19, 115-16; Rabun, "Stephens," 166-67; AHS to LS, 9 July 1845, ibid.

<sup>4</sup>For example, he put up with thievery by Pierce, a body servant, for years. Rabun, ibid., 542-44. And Georgia Parker, one of

of his racist presumptions, not to mention his innate conviction of superiority, Stephens found it impossible to be anything but indulgent and benign to his slaves. Even the field hands, by comparative standards, led relatively comfortable lives. According to one of Stephens' ex-slaves, Georgia Parker, there was always more than enough to eat. The slaves were allowed to hunt and fish, and to tend a huge vegetable garden of their own. The sick were promptly ministered to by a white physician. None was ever whipped or sent to jail. Work was performed by the task system, that is, when the day's allotted task was done, work was over for the day. Every slave on Stephens' place had a pass to leave the plantation, and the slave patrollers were not allowed on Stephens' property. The slaves generally got all day Sunday, as well as Thursday and Saturday afternoons off. Christmas week was holiday, and, as on most plantations, Christmas Day was the occasion of a gigantic feast and much hilarity. Whiskey, on this occasion, was allowed in abundance. How benevolent a master Stephens was can be judged by two singular facts. Not one of his slaves ever ran away from home, and in and around Crawfordville Stephens' slaves had a nickname--they were called "Stephens' free niggers."<sup>5</sup>

Stephens was not free for most of this year from the grip of

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Stephens' ex-slaves, tells of a slave named Dave, whom Stephens gave some money and told to disappear because "he got in trouble wid a white woman." "Narrative of Georgia Parker" in George P. Rawick, ed., The American Slave: A Composite Autobiography, Vol. 12 (Westport, CN, 1972), 45.

<sup>5</sup>Ibid., 38-57.

a prolonged spell of melancholy. The mood, as usual, bore no correlation to any external event. Linton, it is true, was far away. At the end of the term at the University of Virginia in June, Stephens sent Linton up to Cambridge to study evidence and equity practice at Harvard Law School. He wanted Linton to have the benefit of Justice Story's teaching. But the judge died in early September, and the news of his friend's death--Stephens had enjoyed Story's jovial good company at Mrs. Carter's greatly--simply added to the burden of woe he was already carrying.

Unlike many people who are troubled by depression, Stephens actually seemed sometimes to enjoy his. Rather than attempt to divert his mind from sorrow, he cultivated his woe by solitude. He took long walks through the woods and over the fields accompanied by "only the saddest thoughts and reflections." His mind was tormented by the transitory nature of being, but he fueled his unhappiness by visiting old ramshackle houses and places associated with people he knew who had died. Ruins, he said, were "congenial to my spirit." In the timeless beauties of nature, which have inspired in countless poets thoughts of a reassuring permanence, Stephens saw and felt only "the association of age, lapse of time."<sup>6</sup> Even when company was present, Stephens, to better savor his misery, would go off by himself, shunning conviviality, craving solitude. "I felt," he said, after being bored by a chattering Sunday gathering at his house, "as if I should have preferred a hermit's cave grotto or hole to any place on earth. I wished to be where the

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<sup>6</sup>Rabun, "Stephens," 163; AHS to LS, 17 September, 25 March, 21 April 1845, Stephens Papers, MC.

world was shut out and in loneliness . . . I could commune with myself." Had Linton ever experienced a "kind of depression, a sickness at heart a weariness of life and a tedium of existence," he wondered.

If not you would never wish to have them [he continued]--and yet there is a pleasure in their indulgence as every bitter has its sweet. Indeed, what state of mind is without pleasure? Even rage, anger, envy and hate is pleasant [sic] while they is [sic] felt. And as for sorrow and grief Solomon has long since said it is better to go to the House of Mourning than of Mirth.<sup>7</sup>

Indeed, Stephens seems to have spent most of 1845 in the "House of Mourning." There were, however, at least some tangible reasons for his doing so. Yet another friend died in September. This time it was Chelsea Bristow, a clerk of Court. Stephens was present when he died, and this experience brought back all the doleful memories of his father's demise--and his brother Aaron's too. "Life to me seems but little of good," he wrote mournfully. And the men he encountered in life did not seem much good either. For a brief moment his sensitive spirit rebelled against the cruelties of the slavery system. A runaway slave from town, a woman, had been recaptured and lashed with a whip three hundred times. Stephens was appalled. The "baseness, meanness [sic], & brutality" of men and the suffering they inflicted upon others almost tempted him, he said, "to turn misanthrope." "What is man but an animal," he mused, "and one of the worst kinds. . . . He drives his beasts of burthen until life can no longer sustain itself, and even slays frequently for his own amusement--

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<sup>7</sup>Ibid., 24 August 1845.

and not content . . . with this he turns upon his own species . . . and makes beasts of burden of them." Scarcely a month after this heartfelt outburst, Stephens laid out \$650 to buy two slaves--a woman and a young boy, eight years old.<sup>8</sup>

With the exception of court sessions, Stephens ventured from Crawfordville but few times during the long break between sessions of Congress. In June he and Toombs and several others took a three-week trip to Florida, and there he engaged in some desultory stump speaking. Shortly upon his return, Stephens attended the state Whig convention in Milledgeville. The effects of the Texas issue upon the party were still painfully evident. Much to Senator Berrien's mortification, the party selected Duncan Clinch, who had voted with Stephens in favor of the Texas annexation resolutions, as president of the convention. By doing this the Georgia Whigs signified their approval of Stephens and Clinch's course on annexation--and served notice on Berrien that his days as spokesman of the party in Georgia were over.

The convention went on to nominate Governor Crawford for another term. Once again the party's platform dealt mostly with finance. The Whigs pledged a continuation of Crawford's rigid economy in state government, and the promise struck a responsive chord with the voters. The campaign, like most in Georgia during this period, was a spirited one, but the Democrats were unable to oust the popular Crawford. Stephens contributed his mite to Crawford's victory by signing a

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<sup>8</sup>Ibid., 22 September, 15 August 1845. Receipt for the two slaves, dated 11 September 1845, in Stephens Papers, LC.



public statement defending Whig financial principles and the governor's integrity. But he did no speaking.<sup>9</sup>

The legislature, with a slim but safe Whig majority, assembled in Milledgeville in early November. Stephens attended the session and witnessed a further humiliation of Berrien. The Whig caucus refused to nominate the Senator to succeed himself for the term beginning in 1847, in effect repudiating Berrien's alliance with the national Whigs. Berrien, feeling the abasement, immediately resigned his seat--thereby precipitating what Stephens called "a perfect snarl" in the party. Stephens, "to keep out of the excitement," left Milledgeville, while the Whigs attempted to close the breach in their ranks. After a week they were able to do so, by the curious method of reelecting Berrien to the seat he had just resigned. This little political charade at least had the virtue of quieting the crowing Democrats and restoring the Whigs to some semblance of unity.<sup>10</sup> But it was apparent to any smart Georgia politician that national issues, like the tar baby in Uncle Remus, would surely ensnare the unwary. Berrien was a perfect example of what could happen. He had forfeited his power in the state by hewing too closely to the national Whig line--and the lesson was not lost on the younger Whigs.

Alexander Stephens returned to Congress in early December 1845. Also in the Twenty-Ninth Congress were several other men who

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<sup>9</sup>Rabun, "Stephens," 168-69; AHS to LS, 5 July 1845, Stephens Papers, MC; Murray, Whig Party in Georgia, 122-23.

<sup>10</sup>Ibid., 123-24; AHS to LS, 10, 17 November 1845, Stephens Papers, MC.

would become famous during the next two decades: Cobb and Toombs of Georgia, Stephen A. Douglas of Illinois, William L. Yancey of Alabama, Jefferson Davis of Mississippi, John Slidell of Louisiana, Robert M. T. Hunter of Virginia, and an obscure Democrat from Pennsylvania named David Wilmot. In the House the Democrats enjoyed a handsome majority, so Stephens, throughout this session, would find himself in the minority on most questions. Being in the minority, either along party lines or by personal choice, would become a familiar position for Stephens. Depending on the issue (or "principle," he would say) involved, Stephens could be a tenacious and uncompromising opponent.

He was sometimes prone, as the great majority of politicians both then and now are, to let personalities affect, to a greater or less degree, his judgment and stance on an issue. Such seems to have been the case with Stephens and his opposition to James K. Polk. Stephens did not like Polk--a feeling he shared with most of his fellow Whigs. Polk was a man that Whigs loathed with fraternal unanimity, and Stephens' bitter opposition to everything the President did was partly due to this antipathy.<sup>11</sup> But Stephens had been a partisan

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<sup>11</sup>Von Abele, indulging more than usual in his propensity to read into Stephens qualities that comport with the overarching psychological schema he has constructed, says that Stephens "opposed the Mexican War with a bitterness and an intensity so extreme as to derive from some other source than a simple hatred of unjust and aggressive warfare. That source was probably his hatred of Polk, for which no reasonable explanation exists. It was more than political; it was personal, and so far as can now be guessed, it had no particular motivation. No cause appears. There may have been a cause . . . but if there was, it has disappeared." Stephens, 91-92. It seems logical to me, especially in the absence of even a trace of suggestive evidence to substantiate this statement, to assume that Stephens was simply more partisan than most of his Whig compatriots. Because if

Whig before Polk entered the White House, and a southerner before he entered the Whig party. And the Polk administration's policies threatened him politically and personally. For Stephens, a man of consummate sensitivity, to react to these threats any other way than in the way he did would have been unlikely indeed.

The occasion of Stephens' first clash with the administration arose almost immediately upon his return to Washington. Polk, in his message to Congress, had requested authorization to notify England that in one year joint occupation of the Oregon country by the two countries would be terminated. This request had raised a storm in Congress, and had even brought John C. Calhoun out of a short-lived retirement back into the Senate. For what was at stake, as Calhoun and many others believed, was no less than war or peace with Great Britain.<sup>12</sup>

Since 1818 settlers of both Great Britain and the United States, because no U. S. - Canadian boundary had been fixed in the Oregon country, had been allowed jointly to occupy the territory. Three times the United States had offered to settle the boundary at the forty-ninth parallel from the Rocky Mountains to the Pacific, and each

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bitter opposition to Polk and everything he did is made the yardstick with which to measure personal hatred of the President, then most of the Whigs in Congress hated Polk too. I have been unable to discover any evidence whatsoever in the Stephens papers that lends credence to Von Abele's interpretation here cited.

<sup>12</sup>Charles Sellers, James K. Polk: Continentalist: 1843-46 (Princeton, 1966), 340-41; Charles M. Wiltse, John C. Calhoun: Sectionalist, 1840-1850 (Indianapolis and New York, 1951), 247; John C. Calhoun to R. M. T. Hunter, 26 March 1845, in Charles Henry Ambler, ed., The Correspondence of Robert M. T. Hunter, Vol. II of Annual Report of the American Historical Association for the Year 1916 (Washington, 1918), 75-76. [Cited hereinafter as Hunter Correspondence.]

time Britain had refused. The line suggested by the United States would have divided the area roughly in half, but Britain, with lucrative fur-trading interests to protect, wanted the Columbia River from mouth to source as part of the boundary. The Columbia lay south of  $49^{\circ}$ ; and in its meandering course eastward and then northward, it carved out an area comprising a little over half of present-day Washington State. This territory between the Columbia and  $49^{\circ}$  was the core of the Oregon controversy.

What had changed the balance of power in Oregon was the flood of settlers from the United States who began arriving there in the early 1840s. By the time Polk became President the Oregon country contained five thousand immigrants from the United States, and Polk was determined to settle the boundary question once and for all. Before Congress met in December, another offer to settle with England at  $49^{\circ}$  was preemptively spurned by British minister Packenham. Britain, said Packenham, would be willing only to submit the question to arbitration.

At this point, Polk reacted characteristically, that is to say, with vigor. To force England to come to terms, he asserted the claim of the United States to the entire Oregon country. He never intended to do more than bluster the British into giving the United States what she wanted all along--a boundary at  $49^{\circ}$ . Unfortunately, however, Polk was secretive about his underlying purpose. He had succeeded not only in raising extravagant expectations in the entire Northwest, a section militant in its demand for the whole Oregon

country, but also in greatly alarming the Whigs and Calhounites, who feared that war with England was all but inevitable unless Polk modified his demands. The Whigs especially were in a political bind. They did not want to appear antinational, but the foaming war rhetoric of some of the northwestern Democrats, like Senator Lewis Cass, had forced them to assume a peace position.<sup>13</sup>

Polk had requested that Congress authorize him to serve notice on Great Britain that joint occupancy of the Oregon country would be terminated in one year, a request which occasioned furious debate in Congress throughout January and early February 1846. Through it all Alexander Stephens remained silent. Everyone, he said, seemed to want to make a speech on the subject but him. He was firmly committed to peace and a compromise of the question, and for a short time at least, he seemed to have difficulty deciding just what effect giving notice to England would have. In early January he was inclined to think that Polk's "bad management" had made war with England "inevitable." He soon changed his mind, becoming convinced that the mere serving of notice would not bring on war. It would, he thought, result in renewed negotiations and an eventual compromise.

In early February he told George Crawford that war was "inevitable" unless Polk receded from his claim to all of Oregon. Notice to Britain would not bring on war, he said, but "subsequent legislation, taking possession of the whole of the country," would. And Stephens was not

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<sup>13</sup>Sellers, ibid., 244, 249-50, 359.

prepared to support this. The United States' rights in Oregon were simply not clear to the extent Polk was claiming.<sup>14</sup>

Robert Toombs agreed with his friend, and he was not as reticent in Congress on the subject. In his first speech in Congress on 12 January, Toombs advocated giving notice to Britain, allowing the President to do so at his discretion. Actually his private thoughts on the matter were slightly different. He agreed with Stephens to the extent that he also believed the mere giving of notice would not cause war. He, too, thought that it would force England to negotiate for the 49° line. But Toombs was more troubled by the sectional implications of expansionism. Acquisition of Oregon, any of it, would not help the South. As he explained to Crawford:

I don't care a fig about any of Oregon & would gladly get ridd [sic] of the controversy by giving it all to anybody else but the British if I could with honour[.] The country is too large now & I don't want a foot of Oregon or another acre of any country especially without "niggers."<sup>15</sup>

By the time the notice question was put to a vote, Stephens and Toombs had changed their minds. Both voted on the losing end of a 154-63 vote against giving notice to England. They had changed their opinion because of the release by Polk, on 7 February, of certain documents connected with the negotiations. The crafty Polk had released

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<sup>14</sup>AHS to George W. Crawford, 3 February 1846, Stephens Papers, LC; AHS to John L. Stephens, 4 January 1846, ibid., EU; AHS to "My dear sir," 28 January 1846, Telamon Cuyler Collection, UG.

<sup>15</sup>Robert Toombs to George W. Crawford, 6 February 1846, Toombs Papers, LC. Toombs' speech in Cong. Globe, 29th Cong., 1st sess., 185-86.

only those papers best suited to serve his own purposes. Naturally the documents contained no hint that in July 1845 the United States had offered to settle at 49°, and had been refused. Instead, the correspondence between Secretary of State James Buchanan and Minister Packenham which the House and the rest of the nation saw made it appear that the United States, even in the face of warlike preparations in England, would insist on its title to the whole Oregon territory.

To Stephens this uncompromising truculence meant war. It meant no compromise on an issue where both parties in the dispute clearly had rights. Stephens, throughout his public career, had an almost instinctive disposition to compromise--even, as will be seen, when the "rights" at issue were not so patently questionable as they now were. Believing that his vote against giving notice deserved explanation, he set forth his views in a letter to the Georgia press.

In this widely published document Stephens asserted that if Polk persisted in his position, war was certain. The position Polk was taking--that England had no rights in Oregon--was inconsistent with his own acts, and those of previous administrations. Moreover, it was "not sustained by truth and justice of the case." He did not agree with the President that United States title to all of Oregon was "clear and unquestionable." National honor, continued Stephens, could only be maintained by demanding what was right, not by submitting to what was wrong. To vote for notice under these circumstances, therefore, would be "improper" and "injudicious" because it would give the impression abroad that Polk's views were sustained by Congress. "Was ever

negociation [sic] so 'bunglingly' managed?" he wrote. "And did the country ever stand in such eminent need of a man of character and ability at the head of affairs?"<sup>16</sup>

President Polk's character might have been debatable, but his ability to get what he wanted was not. It would be several months before his policy of "bluster, bravado, and violence," in the words of the outraged editor of the Chronicle, produced the desired results. The United States and Britain eventually signed a treaty--"bartered away a part of Oregon," spat a scornful (and thoroughly inconsistent) Toombs--which divided the Oregon country at 49°. But by the time the treaty was ratified in June, the Oregon question (except in the bitter memories of the northwestern expansionists who accused Polk of deception and betrayal) was all but forgotten. The President's expansionist designs in another quarter had produced a genuine crisis, a shooting war with the pitiful and impotent Mexican Republic.

The war had broken out in May, before the Oregon question was settled, and at a time when war with England was still considered by many as distinctly possible. Hardly anyone in the United States took the Mexicans, their government, their army, or their country very seriously. Knowledgeable Democrats fully expected war with Mexico, and the prospect perturbed them not at all. "The consequences of such a war are considered so unimportant," wrote Howell Cobb, "that it

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<sup>16</sup>Ibid., 332-35; AHS to LS, 8 February 1846, Stephens Papers, MC; AHS to Messrs. Grieve & Orme, 9 February 1846, in Augusta Chronicle and Sentinel, 19 February 1846.



scarcely creates a ripple upon the water."<sup>17</sup> Never in his life would Cobb prove to be so poor a prophet.

The Mexican War, destined to create, not a ripple, but a tidal wave in the history of the United States, had its origins in the previous decade, when Texas had revolted and declared herself an independent nation. The Mexicans had never really resigned themselves to the loss of this province and had refused to recognize Texas' independence. When the United States, nine years after Texas' successful revolt, annexed the country, the Mexican government had broken off diplomatic relations by recalling its minister to Washington. This was where matters stood when Polk became President.

From the very beginning of his administration, President Polk had as one of his goals "the acquisition of California and a large district on the coast." Apologists for Polk emphasize the President's peaceful intentions in his Mexican policy. And they are likely to make much of the fact that there were legitimate American grievances against Mexico: long-standing damage claims of American citizens, for example. There was also a dangerous boundary dispute between the two countries: the United States backing Texas' contention that the Rio Grande constituted the state's southern and western boundary. Mexico, of course, was loathe to admit that she had even lost her Texas province, and it was not until 1845 when, goaded by Britain and France, she offered to recognize Texas' independence if the Lone Star Republic

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<sup>17</sup>Ibid., 31 March 1846; Robert Toombs to John Milledge, 17 July 1846, Milledge Papers, DU; Howell Cobb to his wife, 28 April 1846, Cobb Papers, UG.

would, in turn, forego annexation to the United States. But this offer was too little, too late. Texas accepted annexation in July 1845, and thus her boundary claim was transferred into the sphere of United States-Mexican relations. Belatedly, that is to say after American troops began their movement into territory claimed by Texas, Mexico claimed that the Nueces River, 150 miles northeast of the Rio Grande, was the proper boundary. In point of historical fact the Mexican claim was, by far, the stronger. But James K. Polk never gave any indication that he ever regarded anything but the Rio Grande as the rightful boundary.

These, then, were the two main disputes between the United States and Mexico when Polk took office, one of them of long-standing, the other arising out of the annexation of Texas. But settlement of these disputes was not the only aim of the United States policy with Mexico. Acquisition of California--it was widely believed that England had designs there--was a third objective, and in the end, an overriding one. And to achieve this vital end Polk would pay money or fight, whichever was necessary.

At first Polk did attempt to negotiate for all three objectives. But with the Mexicans the President was inclined to have very little patience. He sent a minister plenipotentiary, John Slidell, to Mexico City with full authorization to settle the disputes and to purchase as much of Mexico's northern territory (New Mexico and California) as possible at the best price he could get. Unfortunately Slidell arrived in Mexico when that country was undergoing one of its periodic internal

convulsions--hardly a propitious time to settle questions of the magnitude Polk wanted settled immediately. Moreover, anti-American feeling in Mexico was running high, with the result that neither the first government nor the one which replaced it consented to receive Slidell. The frustrated American minister, after waiting in fruitless impotence for several weeks, left Mexico in a huff.

On 12 January 1846, when word of this rebuff reached Washington, Polk took the action that led to war. He ordered General Zachary Taylor and a large detachment of troops to take up a position on the Rio Grande, in other words, to occupy the disputed border area. Polk's order was perfectly in line with his policy of assertive nationalism, but its effect on the Mexicans could not be anything but highly provocative. Indeed, the administration, through the columns of its organ, the Washington Union, was already publicly committed to war upon the failure of the Slidell mission. The only thing staying the President's hand was the delicate state of affairs then existing with England. Even Polk was not prepared for simultaneous wars.

Slidell's arrival in Washington on 9 May 1846 forced the President to act. He would, Polk decided, ask Congress for a declaration of war. He was in the process of preparing a war message when word of a clash between Mexican and American forces on the Rio Grande reached Washington. A body of United States dragoons, on patrol near Taylor's base opposite Matamoras, had been attacked by the Mexicans with the loss of several American lives. This news freed Polk from the necessity of asking for war on such abstract grounds as accumulated

grievances (the claims and the boundary) and insults to the national honor (the rebuff of Slidell). Now he could claim that "Mexico . . . has invaded our territory, and shed American blood upon American soil . . . war exists by the act of Mexico herself." Many historians since then and more than a few congressmen then and later questioned these assertions, but few lawmakers were able to deny the President the means to wage a war already commenced. The declaration of war passed both houses of Congress by large majorities.<sup>18</sup>

Polk got his war, but he did so without any help from Alexander

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<sup>18</sup>Sellers, Polk: Continentalist, 213, 398-405, 408-09. Polk's war message is in James D. Richardson, comp., A Compilation of the Messages and Papers of the Presidents, 1789-1902, 10 vols. (Washington, 1903), IV, 437-43. The classic presentation of the pro-American side of the causes of the Mexican War is Justin Smith, The War with Mexico, 2 vols. (New York, 1919), passim. In the same vein, see also Ray Allen Billington, Westward Expansion: A History of the American Frontier (New York, 1949), 576-77; William H. Goetzmann, When the Eagle Screamed: The Romantic Horizon in American Diplomacy, 1800-1860 (New York, 1966), 56-58; and Seymour V. Conner and Odie B. Faulk, North America Divided: The Mexican War 1846-1849 (New York, 1971), 3-32. The extremely tenuous Texas claim to the Rio Grande boundary is demonstrated in Fredrick Merk, The Monroe Doctrine and American Expansionism (New York, 1966), 133-60. Merk's book stresses the fear of European, especially British, intervention on the continent, as a significant factor in American expansionism of the 1840s. The most recent study of American diplomacy in the Polk administration is David M. Pletcher, The Diplomacy of Annexation: Texas, Oregon, and the Mexican War (Columbia, MO, 1973). Pletcher views the events of the 1840s in an international context, and with a keen appreciation of the political and social factors in the United States. But in no way does he exonerate Polk. "When Polk became President, he set forth on a foreign policy of strong stands, overstated arguments, and menacing public pronouncements, not because he wanted war but because he felt that this was the only language which his foreign adversaries would understand," 599-600. He concludes that Polk may well have avoided both the Oregon and Mexican crises had he relied on more conventional, professional diplomacy. See 576-611, especially 609-11.

Stephens. Even before the war message was delivered to the House on 11 May, Stephens had criticised Taylor's move to the Rio Grande.

Noting that the Texas annexation resolutions had specified a negotiated settlement of the boundary, and the fact that Texas had never extended her jurisdiction over the disputed area, he contended that the United States should have left matters as they stood until the boundary dispute was settled by negotiation.

Stephens abstained from voting on the war bill on 11 May.

The Democratic strategists had coupled to a bill authorizing the calling up of fifty thousand volunteers a preamble declaring that war existed "by the act of the Republic of Mexico." Thus Whigs were forced to vote "aye" not only to giving the President the power to prosecute the war, but also to his reading of events on the Rio Grande. The Whigs in both houses of Congress were faced with a bitter political choice, made even more so by the haste with which the Democratic majorities forced the issue upon them. In the House, little time was allowed for debate, and, when the matter came to a vote, very few of Polk's opponents were willing to tie the army's hands. The war bill passed the House by a vote of 174-14, and the Senate, 40-2. In the upper house, Calhoun, although willing to vote supplies, argued strenuously against the preamble. The status quo should be maintained, he urged, and more time should be allowed to discuss such a momentous issue as declaring war. But an implacable Democratic majority allowed no delay. When the vote was finally taken, Calhoun, Berrien, and Evans of Massachusetts abstained.<sup>19</sup>

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<sup>19</sup>AHS to John L. Stephens, 10 May 1846, Stephens Papers, EU; Cong. Globe, 29th Cong., 1st sess., 795-97, 804.

Stephens suddenly found himself in the highly unusual position of agreeing with John C. Calhoun. He had begun to think better of the wizened Carolinian, he told Linton. Calhoun's speech, he declared, was "just what I should have said . . . if I could have got a chance." What Stephens feared now was an outbreak of war with France and England, both potential allies of Mexico. And there was no doubt in his mind at all about who was to blame for this crisis. "The whole catalogue of evils is properly and justly chargeable upon Mr. Polk." This was Stephens' position on the Mexican War, and he would not deviate from it for the rest of his life.

He was not alone, of course, in his detestation of Polk. Toombs, though he had voted for war supplies, was now convinced that the preamble was but "a sanction for the wrongs and usurpations of the executive." Marching Taylor to the Rio Grande, stormed Toombs, had been contrary to law, a usurpation on the rights of the House, and an aggression against Mexico.

There were Whig papers in Georgia that were taking the same position. The Chronicle, for example, and the Albany Courier denounced the war as monstrous from the beginning. And as the temper of the Georgia Whigs in the congressional delegation became apparent, any chance of bipartisan support for the war swiftly evaporated. The Whigs had to live with the fact that war existed, and although they grumbled and sniped at having to vote supplies for a war "gotten up by the blunders . . . of the . . . weak and imbecile administration," they continued to vote them. But the war was a political issue from its inception, and one of the most bitterly opposed conflicts in American

history. Part of the reason the southern Whigs were so violently opposed to the war was because it bore a Democratic stamp of approval. But there was another reason: it became evident very early on that the war was being fought to force territorial concessions, a policy these Whigs found not only morally repugnant, but politically explosive. Even before the President's intentions were clearly known, the Whig press was warning against further territorial acquisitions. "We have territory enough," argued one Georgia editor, "especially if every province, like Texas, is to bring in its train war and debt and death."<sup>20</sup>

Alexander Stephens shared these sentiments, and he was fast growing weary and disgusted with the ruthless zeal with which the Democrats in Congress pressed the war. "A recklessness of purpose" which he found "perfectly disgusting--and almost alarming" seemed to rule the House. "All is done by party will and for party effect," he said. In such a frame of mind, Stephens was hard pressed to keep his peace on the floor of the House. He was angry, and he became even more so after carefully studying the correspondence which Polk had submitted along with his war message. These letters were confirmation of his deepest suspicions: they proved, at least to his own satisfaction, that none other than the President himself had provoked the war.

Acting on his conviction, on 16 June he consumed his allotted hour on the House floor blistering the President of the United States

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<sup>20</sup>AHS to LS, 13 May 1846, Stephens Papers, MC; Cong. Globe, ibid., 837; Royce C. McCrary, "Georgia Politics and the Mexican War," Georgia Historical Quarterly 60 (Fall, 1976): 214; Columbus Enquirer, 22 July 1846.

for initiating a war of aggression. "The imprudence, indiscretion, and mismanagement of our own executive" were responsible for the war, he contended. The movement to Matamoras across the disputed territory had been unnecessary, improper, and without authority.

The correspondence proved that the move was needless, argued Stephens. He contended that until the advance there had been no indication of hostility on the part of the Mexicans. Nor had there been any sign that they were preparing to invade Texas. The cause of the war, then, was "taking military possession of the disputed territory." There was not a citizen of Texas in the disputed area who required or had even requested protection, stated Stephens. Why then, the shrill voice queried, was the move to Matamoras necessary?

"Can any man offer a pretext for it but the masked design of provoking Mexico to war?"

The movement was also improper, continued Stephens, because Taylor had fortified himself on the Rio Grande and trained his guns on the peaceful square of Matamoras. Instead of refraining from provoking people already "in an irritable state," Polk had ordered just the opposite. This was "wrong . . . calculated to provoke, to irritate, and to bring on a conflict, if it was not so designed."

Stephens also asserted that, besides having ordered unnecessary and improper acts, the President had no legal power or right to order military occupation of disputed territory without congressional approval. Congress, argued Stephens, had established no boundary in its resolutions annexing Texas, wisely leaving the question to be negotiated. What Polk had done by ordering Taylor into the disputed area,



was to fix the boundary himself by military means. And therefore, said Stephens, he had taken upon himself a power (i.e., a resort to arms) that only Congress could constitutionally exercise.

This particular portion of Stephens' reasoning strikes the modern American as especially anachronistic. But it must be remembered that in 1846 the war powers of an American President were as yet very limited and hazily defined. The people of that time were scarcely as inured to military adventures by presidential fiat as succeeding generations of Americans became. And Stephens' argument along these lines was not peculiar to himself; it was a position taken by all opponents of the war.

Stephens was careful in the concluding part of his speech to make it clear he was not opposed to prosecuting the war. What he objected to was how it had been brought about. He would continue, he said, to vote supplies "until an honourable peace can be obtained." But he wanted it clearly stated for what purposes the war was being waged. Was it "to repel invasion, to protect Texas, to establish the Rio Grande as the boundary"--or were there other objects in view? If this was a war for conquest, he said, "I protest against that part of it." Republics could never be spread by arms, he continued. The only way the country could properly enlarge itself was by voluntary accession, and to do this the country would have only to set good example. He fully expected that American institutions would spread over the entire continent in good time, and he welcomed the prospect. But only if it were accomplished peacefully.

Stephens could not finish his speech without a dig at the Democrats. He himself professed to be a member of the party of "true progress" in the United States, he said. But he was far from endorsing the kind of progress that others were advocating. Theirs was "a progress of party--of excitement--of lust of power--a spirit of war --aggression--violence and licentiousness" which "if indulged in, would soon sweep over all law--all order--and the constitution itself."<sup>21</sup>

Once again Stephens was exhibiting--along with the romantic notion that it was the destiny of the United States, by virtue of the excellence of its political institutions, to overspread the continent, a belief shared by millions of Americans--his fundamental conservatism. Law, order, and constitutionalism: these, as far as relations between men and nations in the political sphere were concerned, were elemental to Stephens. And these were the values he saw threatened by the war. It would be easy, but mistaken, to label the speech as pure partisan cant. No doubt a lot of it was. But the speech was also an expression of Stephens' unfeigned apprehension for the future of values he held dear.

The Democrats, of course, did not share his apprehensions--or professed not to. Stephens' speech had been heard in the House with marked attention, as all of his major addresses were. And naturally it could not go unanswered. One of the Democrats who first replied to Stephens was another silver-tongued orator of the South, William L.

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<sup>21</sup>AHS to John L. Stephens, 29 May 1846, Stephens Papers, EU; Cleveland, Stephens, 303, 309, 310, 313-15, 318-19.

Yancey of Alabama. He regretted, said Yancey, that Stephens was found in company with "the contemptible horde of abolitionists who infest this Hall" in opposing the war. And he thought the speech had been a calculated effort to cool the patriotic ardor of the country.

Yancey's speech contained nothing particularly offensive to Stephens--"contemptible abolitionists" was a common monicker for Northern Whigs--but it offended him anyway. Perhaps it was something in Yancey's manner that bothered the Georgian, for two days after the speech hot words passed between them, and the thin-skinned Stephens, via Toombs, dispatched a challenge. Evidently, though, the seconds of the two men, Toombs and Armistead Burt, were able to smooth things over. A card appeared in the National Intelligencer several days after the quarrel announcing a mutual withdrawal of all offensive language and a restoration of relations between Stephens and his erstwhile opponent.<sup>22</sup>

Whig reaction to Stephens' speech was, of course, considerably more pleasing to Stephens than Yancey's had been. Congratulatory messages from all over the country poured in. One from Justice McLean of the Supreme Court agreed with Stephens' analysis of the war's causes. "The war is the war of the Administration for party purposes, and not for the honor or interests of the country," McLean wrote. Moreover, he, like Stephens, feared "that the Administration is determined to go beyond the Rio Grande for a boundary." McLean, an aspirant for the Whig presidential nomination in 1848, was voicing the sentiments of a

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<sup>22</sup>Rabun, "Stephens," 184; Cong. Globe, 29th Cong., 1st sess., Appendix, 961, 952; Washington National Intelligencer, 27 June 1846.

large majority of his party. But John C. Calhoun, who also admired Stephens' speech, and called the young Georgian in to tell him so, was certainly not speaking for his party. The gaunt old Carolinian was a self-appointed spokesman for the South, and he foresaw nothing but unmitigated evil for his section in a continuation of the war. For the present, said Calhoun, he could not speak out in the Senate-- he wanted to retain some leverage with the administration on the Oregon question--but, as soon as he was able, he told his visitor, he would take the same position on Mexico that Stephens had.<sup>23</sup> And he did.

The Georgia Democrats, however, now being fiercely assailed by their opponents on the war issue, responded in kind. Stephens and Toombs returned home in August to campaign for reelection. The political atmosphere in Georgia was acrimonious. The Whigs, following their congressional leaders, had become "perfectly rabid," said one Democrat, in their opposition to the war. Therefore, the Democrats employed the ageless technique of impugning the patriotism of their opponents. Stephens, of course, was one of their most conspicuous targets.

One of the Democrats who dipped his pen in sulphuric acid to flay Stephens for his stand on the war was Hershel Johnson, who wrote a series of articles over the nom de plume "Baldwin" in the Milledgeville Federal Union. Johnson, a rotund, double-chinned, but very able Milledgeville lawyer, was an old college friend of Stephens'; but unfortunately for friendship, a staunch and unyielding Democrat, who had sharply met Stephens on the stump in 1844. And the barbs he now hurled at Stephens were sharp too. On 14 July he accused Stephens of

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<sup>23</sup>John McLean to AHS, 15 July 1846, Stephens Papers, MC; Stephens, Recollections, 18-19.

"unequivocal marks of vanity . . . sophistry . . . unmanliness of . . . temper . . . sophomoric pedantry . . . [and] a torrent of unmeaning bombast." These insults may have rankled Stephens, but they did not cut to the quick. What did was a sentence that appeared in the article of 21 July:

However covertly the gentleman may have given countenance, by his language, to such insinuations against his own government for party purposes, his annexation vote stares him in the face, and stamps them with unequivocal falsehood, even in his own estimation.<sup>24</sup>

The implication of this verbiage, when translated into plain English, was unmistakable: Stephens was a liar.

This accusation Stephens could not abide. After finding out who "Baldwin" was, Stephens demanded a public retraction of the offensive sentence. (The conventions governing the disclosure by newspaper editors of the names of anonymous scribblers were peculiar: the editor was forbidden to reveal the name unless a duel was threatened, at which point they were obliged to help the aggrieved party kill his tormentor if he could, by disclosing the name.) Johnson refused to retract his statement--he read over the entire paragraph which contained the offensive words, and professed to see nothing in it to aggrieve Stephens--whereupon Stephens followed his customary course. He sent Johnson an immediate challenge. Johnson, as Stiles had earlier, and Benjamin Hill would later, remained unruffled by Stephens' impulsive rage.

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<sup>24</sup>John B. Lamar to Howell Cobb, 24 June 1846, TSC Corr., 82; Rabun, "Stephens," 187-88; Milledgeville Federal Union, 14, 21 July 1846.

He refused the challenge.<sup>25</sup> Stephens, with the only "honorable" avenue of redress now closed to him, felt compelled to vindicate himself by releasing the entire correspondence to the press. Johnson would eventually become one of Stephens' dearest friends, but for the next nine years neither of the two men spoke to the other.

Although the Democrats, according to the Chronicle, "exhausted ingenuity . . . to injure" Stephens, the little Georgian was easily reelected in the Seventh District, defeating his opponent, a state legislator named William Turner, by almost 1,500 votes out of a total of 5,583 votes. This was a more substantial victory (62.8 percent) than in 1844. It was part of a general Whig resurgence throughout the state. The Whigs had carried four congressional districts--and in one district, the Fifth, they had not run a candidate. Their total majorities exceeded those of the Democrats by almost 3,000 votes.<sup>26</sup>

Thus fortified by his party's approbation at home, Stephens returned to Washington in December more determined than ever to resist what he regarded as an unholy and unconstitutional war. Polk, of course, was not about to remain supine under the assaults of the Whigs. In his December message he assailed his critics for giving aid and comfort to the enemy.

Certainly the Whigs were sensitive to this charge: they did not

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<sup>25</sup>AHS to Hershel Johnson, 19, 20 August 1846, Stephens Papers, MC; Hershel Johnson to AHS, 20 August 1846, ibid., 29 August 1846, Hershel Johnson Papers, DU; Rabun, ibid., 187.

<sup>26</sup>Augusta Chronicle and Sentinel, 28 September 1846; Milledgeville Federal Union, 13 October 1846; Murray, Whig Party in Georgia, 126.

want to appear unpatriotic. They recalled the painful experience of the New England Federalists, who had opposed the War of 1812 and paid for their folly by losing their identity as a party. Moreover, the present war was proceeding gloriously for American arms. By the beginning of 1847 American forces had overrun most of northern Mexico. California and New Mexico, Mexico's northernmost provinces, had long since been occupied by U. S. troops. These seizures of vast areas represented, at one and the same time, the administration's strongest and weakest points in its defense of the war. Democratic defenders of the war could point to the territorial conquests as "indemnities" due the United States for Mexican intransigence in continuing the war. The Whigs, on the other hand, could ask, quite legitimately, if these conquests represented the real purpose of the war. Was all of this land the reason the United States was fighting? Was all of this territory, and who knew how much more, to be annexed to the United States? By asking such questions--and the Whigs asked them repeatedly--the opposition party was able to avoid the charge of being unpatriotic, and shift the moral burden of the war back onto Democratic shoulders.

But the southern Whigs had even more pressing reasons to ask these questions. They realized that territorial aggrandizement by the United States would reopen the slavery question. And raising this issue again they feared like death itself.

Slavery had thrust its noxious presence into the proceedings late in the congressional session that ended in August 1846. Polk, single-mindedly intent on securing territorial concessions from Mexico and expecting their early capitulation, had requested a \$2 million

appropriation from Congress to dangle before the Mexicans in exchange for boundary adjustments. To the bill appropriating the sum, David Wilmot, a Pennsylvania Democrat, had attached an amendment providing that slavery be barred from any territory secured from Mexico as a result of the war. The Wilmot proviso, as the amendment came to be called, was hardly the product of a moral upsurge in northern consciences. Its origins lay in the tangled intra-party wrangling of the Democrats. An assortment of northern Democrats, disgruntled with Polk or with their southern colleagues over one matter or another (the tariff, Oregon, patronage, or just plain dislike of Polk), and faced with the prospect of going home empty-handed to face the voters, conceived the proviso. But when the measure came to a vote in the House, these Democrats were joined, almost unanimously, by the northern Whigs. The measure failed to pass in August (and Polk failed to get his \$2 million) because Congress adjourned before the Senate could act on the bill. The appropriation, with the proviso attached, had passed the House, though, on a sectional vote so lopsided that no one could have doubted its significance. Only a few mavericks in both parties prevented an almost perfect division along north-south lines.<sup>27</sup>

No sooner had the year 1847 begun when the proviso again made its appearance, grafted onto a new appropriation bill which Polk had requested. The perplexed President, who had exclaimed in August that he could not see "what connection slavery had with making peace with Mexico," now feared dire consequences, not only to his party, but to the Union itself, if agitation on the slavery question continued. And

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<sup>27</sup>McCrary, "Georgia Politics and the Mexican War," 218; Sellers, Polk, 477-83.



Congressman Stephens, for perhaps the only time in his life, agreed with Polk. "The North," he told Linton, "is going to stick Wilmot's amendment to every appropriation, and then all men of the South will vote against every measure thus clogged . . . finally a tremendous struggle will take place. I tell you the prospect ahead is dark . . . and gloomy."<sup>28</sup>

Stephens was speaking here as a Southerner, not as a Whig. The threat of the Wilmot proviso was a mortal one to the South, striking at the basis of its political power in the Union, which in turn guarded her social system. But it was much more than this; it was also a gross personal and collective insult to proud Southerners. For what the proviso did, in their eyes, was brand them as unclean, dishonorable, and unfit to direct their own destinies, unequal members in a Union of supposedly equal states. United southern opposition to the proviso was far less a question of whether southerners desired slavery's expansion or believed it could exist in the far West (some Southerners did and others did not), than a reaction to perceived insult. This was why the South saw no practical difference at all between an abolitionist and a freesoiler. Both were equally execrable, for both desecrated the South's image of itself as an honorable and decent society.<sup>29</sup>

But how to deal with the proviso in practical political

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<sup>28</sup>Milo Milton Quaife, ed., The Diary of James K. Polk During His Presidency, 1845-49, 4 vols. (Chicago, 1910), II, 75, 305; AHS to LS, 5 January 1847, Stephens Papers, MC.

<sup>29</sup>Cooper, "The Politics of Slavery," 276-78.

terms was a question upon which southern politicians could never agree. For if they expected to retain power and influence in their states, it was within the confines of a functioning political party that southerners (with the conspicuous exception of Calhoun and his small corps of followers) were forced to operate. And on the proviso question, although there was no disagreement at all on the end sought--the utter repudiation of Wilmot's heinous doctrine--there was considerable discord over the best means to accomplish the goal, discord engendered by the very nature of the highly competitive political system in which southerners operated.

Stephens and his fellow southern Whigs realized that any agitation of the slavery question would ultimately have fatal effects on their personal and party fortunes. They also realized that there was but one way to avert the danger: to remove the cause of the controversy, that is, to prevent, if possible, any territorial acquisitions from Mexico.

Accordingly, Stephens introduced into the House on 22 January 1847, a series of resolutions which declared 1) that the war was not being waged for conquest or dismemberment of Mexico, and 2) that hostilities should be terminated as soon as possible on terms honorable to both sides. Unlike the proviso votes, the fate of Stephens' resolutions was decided by almost a strict party vote. The House refused to suspend the rules to allow introduction of the resolutions.<sup>30</sup>

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<sup>30</sup> Cong. Globe, 29th Cong., 2nd sess., 240. The vote to suspend the rules was 76 ayes, 86 nays. Seven Democrats (including Georgians Cobb and Lumpkin, and Calhounite Burt of South Carolina) voted to suspend also. Berrien in the Senate was adopting an almost identical ploy as Stephens in the House, introducing a no-territorial-

Stephens' effort thus failed, but his reputation took a quantum leap in the country's Whig presses. The Chronicle quoted admiring squibs from the Newark Daily Advertiser and Philadelphia North American. And, of course, southern Whig editors were delighted with the resolutions. By mid-autumn the "no territory" position was extremely strong in Whig ranks throughout the country. In November 1847 no less a personage than Henry Clay had given the policy his endorsement<sup>31</sup>--but by that time the real question confronting the country was not whether to devour Mexican territory, but how much of it to swallow. As it turned out, only a few square miles would have been enough to cause terminal indigestion.

Democrats, northern and southern, bitterly attacked Stephens and his resolutions. To call them "absurdities," said the Constitutionalist, was not using language strong enough. Stephens' claim that the war was not for conquest was "not only impolitic and humiliating" but "a manifest shrinking from the maintenance of Southern rights . . . a downright recoil from the bold threats of the Anti Slavery members, who bully the South." And in a twisted way, like the backwards writing in mirror-reflected print, the northern Democrats said the same thing. The "cry of no more territory," said the editor of the New Hampshire

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acquisition amendment to a three million dollar appropriation for negotiations. It, too, failed of passage.

<sup>31</sup>Augusta Chronicle and Sentinel, 30 January, 4, 10 February 1847. See also Milledgeville Southern Recorder, 2 February 1847, Washington National Intelligencer, 24 January 1847. Joseph G. Rayback, Free Soil: The Election of 1848 (Lexington, KY, 1970), 122-23.

Patriot, was "the slaveholder's cry, . . . raised for the express purpose of heading off supporters of the Wilmot Proviso."<sup>32</sup> Such was Democratic unity on the slavery issue.

As always on questions of vital interest to the South, it was John C. Calhoun who saw the trend of events in the most apocalyptic terms. Untrammelled by party considerations, and desperately longing to unite the South under his own lead, Calhoun was free to play the part of prophet of doom. Constantly in the back of Calhoun's mind was the necessity of southern unity. Only in unity, he believed, could the South maintain her rights within a Union in which she was a steadily shrinking minority. Thus on 19 February 1847, he introduced his own series of resolutions defining the southern position on the question of territorial slavery. The resolutions declared that the territories were the common property of all the states, that Congress could make no law depriving any state of its full and equal rights in any territory to be acquired by the United States, and that the passage of any such law would be a violation of the Constitution and state rights.

Far from producing the unity he desired, Calhoun only succeeded in alienating administration supporters. Not necessarily because of his resolutions--indeed, southerners, whether Whig or Democrat, were being pushed inexorably onto the very ground Calhoun had staked out--but, rather, in spite of them. Because to endorse Calhoun was, for a Democrat, to support a man who had been opposed to Polk's war policy

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<sup>32</sup>Augusta Constitutionalist, 29 January 1847; New Hampshire Patriot, quoted in Rayback, ibid., 123.

from the beginning. Moreover, Calhoun had shown his utter hostility to the administration by spearheading a successful drive to exclude Thomas Richie, the editor of the official party organ in Washington, from the floor of the Senate. It was this last action that caused most of the Democratic editors in Georgia to read Calhoun out of the party.

It was from the Whigs in Georgia that the Carolinian received the most cordial expressions of support. The Whigs of Putnam county, for example, passed resolutions endorsing Calhoun's patriotism and his defense of southern rights. And Bob Toombs, writing Calhoun at the close of the session, agreed entirely with him in his apprehensions that the South would suffer if the country were to seize any Mexican territory. Toombs went even further. He endorsed Calhoun's leadership. "Our whole policy upon the whole Mexican question . . . will be in your hands," he said. The people of the South were waiting to see what direction he would give it.<sup>33</sup>

If Alexander Stephens had any praise for Calhoun, it has been lost to history. Towards the Carolinian he bore the deep-seated suspicion of the moderate for the extremist. Stephens, although

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<sup>33</sup>See Cooper, "Politics of Slavery," 268-71; Augusta Constitutionalist, 18 February 1847; Augusta Chronicle and Sentinel, 27 February 1847; Saml A. Wales to John C. Calhoun, 17 June 1847, Chauncey S. Boucher and Robert P. Brooks, eds., Correspondence Addressed to John C. Calhoun 1837-1849 in Annual Report of the American Historical Association for the Year 1929 (Washington, 1930), 382-83 [Hereinafter cited as Calhoun Correspondence.]; Robert Toombs to John C. Calhoun, 30 April 1846, ibid., 373-74. "The Democracy were in great troubles about the time of the adjournment. Mr. Calhoun's position upon the war produces consternation amongst them." AHS to "Dear Doctor," 16 March 1847, Stephens Papers, DU.

he owed an intellectual debt to Calhoun he would never have admitted, shared none of Calhoun's disdain for parties; nor did Stephens believe that confrontation politics were necessary to safeguard southern rights. Stephens, in short, believed in parties. And he believed in the functional efficacy of compromise, as long as compromise sacrificed no essential principles. Far from being the courageous and virtuous independent portrayed by his official contemporary biographers, Alexander Stephens labored assiduously to advance the fortunes of whatever party he was associated with: whether it was the State Rights organization in Georgia, the Whigs, the Constitutional Unionists, or the Democrats, all of which organizations Stephens belonged to during his long political life. Stephens was never particularly anxious to leave any party he belonged to. The first three mentioned above lost his services only when they went out of existence. And the last he joined only reluctantly, when there was no other place for him to go.

Having said this, it remains to be emphasized that Stephens, by no stretch of the imagination, was ever anything but independent once he had examined an issue and determined his course. It was in defining and applying his essential principles that Stephens could be a most uncompromising politician. And one of his most basic principles was never to appear to be motivated in politics by anything but the loftiest goals of justice and patriotism. This was a self-deception that Stephens practiced for his entire life. He could be guilty sometimes of the most specious and outrageous rationalizations, convincing himself, and attempting to convince others, that he acted from motives wholly untainted by personal or party considerations.

Attempting to appear principled and idealistic was part of Stephens' facade--and what man, especially a politician, is without his masks? The most interesting question for a biographer is not what mask his subject wore, but why his subject selected it in the first place. A man assumes a particular posture or plays a particular role in society either to enhance his own self-image, or to protect his own vulnerability, or, perhaps, to do both. This was certainly true in Stephens' case.

He was a man capable of tempestuous passions, yet condemned by physical health, upbringing, and disposition to being sedentary. Moreover, Stephens, a philosophical idealist and a man rigorously schooled in the forbidding tenets of fundamentalist Christianity, instinctively distrusted and despised the passions of men. To him the passions were the weakest element in man's nature, an element to be rigidly controlled, not even to be accepted as integral to man, much less indulged in for their own sake. Hence, Stephens wore the mask of the principled statesman, a man actuated by only the highest principles of honor, justice, and truth. But every so often his mask would slip.

It was, indeed, sadly askew when he rose in the House on 12 February to deliver a speech on the Mexican War. The House was considering a \$3 million appropriation bill to advance negotiations with the Mexicans. For over a month both houses of Congress had been locked in rancorous sectional debate brought on by the insistence of northern legislators on attaching the Wilmot proviso to any bills connected with future territorial acquisitions. Stephens, however, had little to say about the proviso. He was more interested in raking

over other coals: the war, and its causes and objectives. And his denunciation of the President was savage.

The war, he shrilled, had been initiated by "the sole and unauthorized act of the President," who was now by "an executive ukase" attempting to stifle all opposition to his policies and brand his opponents as traitors. He reminded the President of the fate of Charles I, who had lost his head for "a very little greater stretch of the royal prerogative." Polk's election to office, he said, had been a "fraud, . . . deception, and gross iniquity" for which the country might have to pay a "terrible retribution."

Stephens' recital of the causes of the war was replete with numerous aspersions on the President's character: his "unskillfulness" and "faithlessness" had run the country onto the breakers. The war, charged Stephens, had been "improperly, unwisely, [and] wickedly commenced" solely by the President "in violation of the constitution of the country." In defense of his recently-spurned "no territory" resolutions, Stephens argued that no one acquainted with the "unparalleled duplicity" of Polk could possibly believe the President's protestations that the war was not being waged for conquest.

It was in the closing part of his speech that Stephens modified his scathing partisanship and spoke to the House in tones of honest concern. Proclaiming himself to be no enemy of expansion, he pleaded with his colleagues not to allow expansion of the country by force of arms. This would be, he said, "not only wrong in itself but . . . contrary to the whole spirit and genius of the liberty we enjoy." Stephens scoffed at the argument that parts of Mexico should be seized



as an indemnity. Such territories would cost more to own and protect than they would be worth, he said.

The foregoing reasons would be enough, explained Stephens, to keep him from voting for the appropriation, but he had other, far graver reasons, for opposing it. The strife which the proviso engendered was obvious enough to all. Was the House willing to risk the harmony of the Union for more territory? He would not, he said, enter into a discussion on slavery. In marked contrast to his remarks on slavery during the Texas annexation speech, Stephens now chose to defend the institution outright. "The morality of [slavery] stands upon a basis as firm as the Bible," he said, and until Christianity was overthrown "the relation of master and slave can never be regarded as an offence against Divine Laws."<sup>34</sup>

Thus did Stephens dispose of the moral aspects of the slavery question. As a political question, Stephens said he would not even argue the subject, since the institution of slavery was beyond the powers of Congress to affect:

I plead the jurisdiction. The subject belongs exclusively to the States. There the constitution wisely left it; and there Congress, if it acts wisely will let it remain. . . . The language of defiance should always be the last alternative. But as I value this Union, and all the blessings which its security and permanency promise . . . I invoke gentlemen not to put this principle to the test. I have great confidence in the strength of the Union, so long as sectional feelings and prejudices are kept quiet and undisturbed . . . But if bad counsels prevail . . . if the policy of the administration is to be carried out--if Mexico . . . is to be seized at

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<sup>34</sup>Cleveland, Stephens, 321-23, 327, 330-31, 332.

every hazard, I very much fear that those who control public affairs, in their eager pursuit after the unenviable glory of looking back upon the shattered and broken fragments of their own Confederacy.<sup>35</sup>

And on these notes of grim warning, Stephens completed his address. Whether his, or any of the hundreds of impassioned addresses that had echoed through the House during this session, had any power to halt the inexorable tide of events is a moot question.

As it turned out, the House, on the last day of its session, approved the "Three Million Bill"--without the Wilmot proviso. The slavery wound, it appeared, would be left to fester on the body politic. Polk got his money, but beyond this, the session had accomplished nothing but a further exacerbation of sectional animosities. Neither Stephens nor Toombs had been present for the final vote on the bill. Both had departed Washington the previous week to go home and attend the spring court sessions.

In Georgia 1847 was a gubernatorial election year, and it was to be a year of politics as usual. The Wilmot proviso, to be sure, would figure as an issue in the campaign, but only to the extent that it allowed the Georgia parties to extol their own soundness, and their opponents' weakness, in opposing it. The habits of partisanship were too ingrained in Georgia politicians to permit anything remotely resembling the kind of southern solidarity Calhoun was attempting to build. Wilson Lumpkin, ex-governor and close observer of Georgia politics, stated the case clearly to Calhoun. "With but few exceptions," he observed, "our people in Georgia, are wholly unprepared to yield

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<sup>35</sup>Ibid., 332-33.

up their old party attachments. The . . . unceasing efforts of the press has been to dissapate [sic] all their apprehensions on the slave question." The people, he continued, were so long accustomed to "the cry of danger upon this subject" that it was difficult to get them to believe it.

Lumpkin exaggerated the role of the press in dissipating fear on the slavery question, but he was absolutely correct about the strength of party attachments in Georgia. Calhoun himself had been misled by expressions of approval he received from a number of Georgia Whig conclaves. Taking these praises as a sign that his followers were more numerous in the state than they actually were, Calhoun made his purposes perfectly transparent in a public letter to Georgia Whigs. He was happy, he wrote, that his resolutions of February had met with approval. To him this was "an omen that the Whigs of Georgia are prepared to do their duty [on] the vital question involved. . . . I hope it is a precursor to the union of all parties with us to repel an unprovoked assault upon us." Confronting the North on slavery was absolutely essential. "The time has come," he continued, "when the question must be met. It can no longer be avoided, nor, if it could is it desirable. . . . With union among ourselves there is nothing to fear."<sup>36</sup>

Calhoun might as well have been speaking Chinese, for all

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<sup>36</sup>Wilson Lumpkin to John C. Calhoun, 27 August 1847, Calhoun Correspondence, 396; Calhoun's public letter quoted in Richard Harrison Shryock, Georgia and the Union in 1850 (Durham, NC, 1926), 142-43.

the response his appeal stirred in Georgia. Just how unwilling the Georgia parties were to endorse his unvarnished sectionalism quickly became apparent. The Whig convention, which met several days after Calhoun's letter appeared, serenely went about its business of nominating a candidate for governor and passing resolutions for the campaign. Calhoun was tendered thanks for his opposition to the war (not a word was said about his February resolutions), Zachary Taylor was recommended for the presidency, Governor Crawford's administration was effusively endorsed, and Wilmot's proviso was condemned as unconstitutional and unjust. As their candidate for governor, the Whigs nominated Duncan L. Clinch of coastal Camden county (he lived on an offshore island estate), a former militia general and congressman. Not everyone was pleased with the choice. "Military candidates are all the rage," scoffed Berrien. "Our calculating politicians believe this (the nominations of Taylor and Clinch) will most effectively secure a Whig majority in the legislature." He might have added also that Zachary Taylor was a southerner, and therefore, supposedly an impregnable bastion against the proviso if he ever attained the presidency.

The open endorsement by the Whigs of Calhoun's course on the war stood in stark contrast to the action of the Democratic convention. The debate in that body on strategy to combat the proviso was extremely heated, and the militant state rights wing of the party actively sought an endorsement of Calhoun's Southern platform. It was only with difficulty that the moderate Cobb wing of the party could be induced to withdraw, for the sake of party harmony, resolutions expressing

confidence in the party's "Northern brethren." The Democrats refused to endorse any candidate for President, preferring to let the national convention decide. But the Democrats were more forthright, and more pugnacious, on the proviso than the Whigs had been. Georgia Democrats, they resolved, would not support any candidate for the presidency who did not openly repudiate the proviso. Usual resolutions supporting Polk and the war, and condemning the protective tariff and national bank concepts were also passed. As their gubernatorial candidate, the Democrats selected George W. B. Towns of Talbot county.<sup>37</sup>

The campaign of 1847 was a furious one. Towns, a spirited fighter, immediately took to the stump, putting the Whigs on the defensive with a series of speeches on the tariff, the war, and Polk. The Democrats also took the initiative on the proviso question. Their platform, they claimed, promised final resistance to the hated doctrine, while the Whigs "were afraid to do more" for fear of offending their northern allies. The fact that the Whigs had remained silent on the question of resistance, said the Constitutionalist, was proof that they were prepared to vote for a proviso man in 1848.

The Whigs gamely attempted to counter these assaults by blaming the Democrats for the proviso problem or by attempting to discuss local issues. The Chronicle, the leading Whig paper and Stephens' organ, continued its unceasing assaults on Polk and the war.<sup>38</sup> But

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<sup>37</sup>Murray, Whig Party in Georgia, 128; John M. Berrien to Daniel Webster, 21 June 1847, quoted in McCrary, "Georgia Politics and the Mexican War," 220; Shryock, ibid., 140-42; Edward J. Black to John C. Calhoun, c. October 1847, Calhoun Correspondence, 381.

<sup>38</sup>Murray, ibid., 128-29; Shryock, ibid., 144-45; Augusta Constitutionalist, 7 July 1847.

the Whigs were severely handicapped in the campaign by the weakness of their candidate, and the Democrats gleefully took full advantage of this.

Whereas Towns was a vigorous campaigner, Clinch was a poor public speaker who steadfastly refused to give further evidence of the fact by remaining at home during the campaign. Democratic papers, therefore, made a practice of running blank columns headed "The Speeches of Duncan Clinch." Clinch's only qualifications for the nomination were the facts that he had been a loyal party worker for years, and had once commanded, in 1835, a small body of militia and army regulars in a victory over the Seminoles at Withlachcochee Creek. In no time the "Hero of Withlachocchee" was made the butt of countless jokes all over Georgia.

"Who is Duncan Clinch?" the Democrats chorused repeatedly. Answering its own question, the Federal Union replied that Clinch was a man who had about as much identity of interest with the people of the rest of the state "as they have with oysters, turtle soups, and sea fish, with which he is familiar." The Cassville Pioneer also harped on Clinch's aristocratic background. "He is one of those stiff, starchy fellows, who revels in his palace at home, drinks his wines, brandies &c. an[d] does not deign to notice common people."

The Whigs were able to counter this devastating ridicule only by pointing out that Towns had missed a number of votes during his term in Congress. The charge was a poor weapon. The Whigs lost the

governorship, but managed to retain a slim majority in the Assembly, which they promptly used to elect Berrien and William C. Dawson to seats in the Senate. But the Whigs' control of the Assembly was very shaky, and within a few months, the pressure of sectional issues would destroy it entirely.<sup>39</sup>

If Alexander Stephens took any active part in this ill-fated campaign, no record of his participation has survived. He seems to have remained at home, enjoying the company of Linton and his other bachelor boarders. Meanwhile, Winfield Scott was leading a victorious American army into the Mexican capital, and Nicholas Trist, the President's own trusted envoy, was beginning to negotiate the treaty which would shake the nation to its foundations by making painfully evident the "whole catalogue of evils" Stephens had foreseen in Polk's Mexican policy.

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<sup>39</sup>Milledgeville Federal Union, 5 July 1847; Cassville Pioneer quoted in Augusta Chronicle and Sentinel, 13 July 1847; ibid., 5 August 1847; Savannah Republican, 9 September 1847; Murray, ibid., 128-30.

## CHAPTER VI

### TERRITORIES NEW AND TAYLOR TOO

"I am very much like a chronometer," Stephens wrote Linton shortly after his return to Washington. "I need something bearing down upon me to keep me in motion . . . without it I am disposed to be inert and idle." There was certainly no lack of things bearing down on Stephens, and the Georgian was anything but idle. Towards the end of the year, Stephens, as was his custom, engaged in long speculation on the changes wrought by Time. What "monsters, hydras and gorgons, Time's womb had given birth to," he marvelled. "And who can now tell what monsters may not be brought forth in the next twelve months?" Contending with the political monsters of various sorts would keep Stephens busy during the next year--and for many years after that.

The first such monster was, of course, the war. The results of the conflict for good or ill, would soon be upon the country. General Scott had occupied Mexico City in September, and the issue of what settlement to make with Mexico was imminent and pressing. Stephens, if anything, had even more reason to oppose territorial acquisition than ever. For one thing, the Whigs had done well in the off-year elections. The Thirtieth Congress (in the House at least)



contained a slight Whig majority, nine seats. And the Whigs were impressively united in their demand that the United States seize no territorial indemnities from Mexico. In November, Henry Clay, in a speech that was widely heralded by Whigs throughout the country, had added his not inconsiderable influence to the demand.

Back home in Georgia there had been an equally impressive show of unanimity on at least one point: the Wilmot proviso. The Assembly had unanimously passed in November a preamble stating the determination of all parties in Georgia to assert and maintain southern rights in the territories. At the same time, over the objections of the Democrats, the Whigs had spurned resolutions declaring the Missouri compromise line to be one of fact in any new territories to be acquired. They then went on to pass resolutions endorsing Stephens' "no territory" position. The war should be immediately terminated, they said, without a dismemberment of Mexico. The cleavage in Georgia parties was clear. The Democrats were quite willing to court the proviso issue, while the Whigs shunned it like a leper.

In his annual message, however, President Polk had made it quite clear that peace could be obtained only by seizing California and New Mexico, and he had hinted that even more Mexican territory might be required.

These developments gave Stephens ample reason to reintroduce, on 21 December, his resolutions declaring that the war was not being waged for dismemberment of Mexico.<sup>1</sup> Stephens' resolutions were only

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<sup>1</sup>AHS to LS, 22, 27 December 1847, Stephens Papers, MC; Van Deusen, Life of Clay, 388-89; Shryock, Georgia and the Union, 152-56;

part of a host of similar anti-administration resolutions introduced by the Whigs, and his speech on 2 February 1848 was only one of dozens that plodded over the much-plowed ground of Polk's responsibility for the outbreak of the war. What Stephens argued--that the war was unconstitutional--was perfectly familiar to his House colleagues. But in vituperation of Polk this address outdid anything Stephens had said before. The war, he said, was a "wanton outrage upon the Constitution" commenced by Polk's "most miserable subterfuges." The President's policies were described in biting terms: "incredible," "mendacious," "ruinous," "mischievous," "disgraceful," "dishonorable," "reckless," and "infamous." Polk was "the greatest enemy the people of this country have at this time; for he is waging a war, of all others, the most dangerous to a free people--a war against the Constitution of the country!" He, for one, said Stephens, would henceforth refuse to vote another penny for the prosecution of the war. If his constituents wanted a continuation of the "odious and detestable" policy of Polk, then they could send someone else to Washington.

To many on both sides of the aisle these sentiments were perfectly familiar. Indeed, contempt for Polk was a strong undercurrent throughout the entire debate, and Representative Stephens had long been known as one of the President's most outspoken critics. But auditors who had never heard Stephens speak were highly impressed. Young Charles Lanman, who would later write a biography of Daniel

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Richardson, Messages and Papers of the Presidents, IV, 533-45; Cong. Globe, 30th Cong., 1st sess., 61.

Webster, was greatly struck with Stephens' "wonderful earnestness," although, as he remarked to a friend, he had thought the cadaverous speaker might not live to finish the speech. A first-term congressman from Illinois, Abraham Lincoln, was also impressed. Stephens' speech, he thought, was "the very best speech, of an hours length" he had ever heard. "My old, withered eyes are full of tears yet."<sup>2</sup>

Further support of the war, even as Stephens spoke on 2 February, was a moot question, for on that day Nicholas Trist signed the Treaty of Guadalupe Hidalgo with Mexican commissioners. By its terms Mexico yielded, for the sum of \$15 million, the territories of New Mexico and California to the United States, and recognized the Rio Grande as the boundary of Texas. Polk had got what he wanted, and despite his fury with Trist (who had negotiated the treaty on his own after being recalled), he submitted the treaty to the Senate, which ratified it on 10 March.

The end of hostilities failed, however, to arrest Stephens' own personal war on Polk. He continued by means of resolutions in the House, to pepper the President with requests for documents, for maps, for correspondence. All of the maneuvers, of course, had little effect on the outcome of events. Stephens' requests, though, were merely part of a much larger, much more momentous battle being waged by parties and sections over the organization of the new territories.

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<sup>2</sup>Ibid., Appendix, 159-63; Lanman, Haphazard Personalities, 342; Abraham Lincoln to William Herndon, 2 February 1848, in Roy P. Basler, ed., The Collected Works of Abraham Lincoln, 9 vols. (New Brunswick, N. J., 1953), II, 219.

His demand, for example, on 10 July, that the President submit information on the exact location of the Texas-New Mexico boundary (one piece of information out of about a dozen he wanted) had an undeniable connection with the overriding issue of slavery's status in the conquered territories, i.e., the larger Texas was, the larger the area of slavery would be. Just as Stephens had feared, the slavery issue had so tied up the proceedings of Congress that nothing but the most routine business was being conducted. A solution to the territorial problem seemed so remote, and the consequences of sectional confrontation so fearful, that one Georgia editor was moved to hope that the territories "for yet a long time to come" would remain unorganized.<sup>3</sup>

This was mere whistling in the graveyard. The organization of the territories--New Mexico, California, and Oregon (for two years, because of the slavery question, still without a territorial government)--would have to be accomplished sooner or later. But how, when both sections of the country were implacably insisting on their "rights"? The constitutional status of slavery in the territories was in itself a political maze, a veritable labyrinth of twisting, conflicting constitutional passages which would have required all the skills of a Theseus to traverse. Unfortunately, albeit inevitably, the territorial issue was also overlaid with all sorts of other considerations and implications: the hard dollars-and-cents question of whether slavery

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<sup>3</sup>Stephens' continued sniping at the Administration is covered in Rabun, "Stephens," 199-202; Milledgeville Southern Recorder, 21 March 1848.

could prove profitable in the southwest, the moral question of the institution, and ultimately the question of the place of the Negro in American society. But of all considerations involved in the problem, it was the political dimension that was most evident. Politics was the one arena that focused the problem in all its diffuse aspects. It was the one arena that permitted a direct confrontation of the sections. For this reason the slavery issue, in addition to and in spite of all its other complexities, became, in the hands of partisan politicians and editors, a question of party and sectional power. In 1844 the slavery question had been only a backdrop to the presidential campaign--at least by the standards of succeeding elections. Eighteen forty-eight was also a presidential election year, the first of four elections in which the slavery question, to the almost total exclusion of all others, dominated the campaign.

By mid-1848 the presidential campaign was already in full swing. Both major parties had already selected their candidates. For the Whigs it was General Zachary Taylor, "Old Zack," "Old Rough and Ready," a hero of the Mexican war and career soldier. His Democratic opponent was sixty-six year old Lewis Cass, a grizzled political veteran and U. S. senator from Michigan.

How Taylor, a political novice who had never voted or even expressed a political opinion before 1846, obtained the Whig nomination is a long and tangled story. To hear Stephens tell it, one would think that the Georgian accomplished the task almost single-handed. In a letter to J. F. McLaughlin, written in 1871, Stephens said:

It was I--no egotism in telling you the simple truth--it was I who made Genl. Taylor President. Soon after the first Battles of the war at Resaca & Palo Alto, I urged on the anti war party that Taylor was the man. I got his nomination in a Whig convention in Georgia--in the fall of 1847. At the beginning of the session of Congress that year in Dec 1847, I was mainly instrumental in getting up a Taylor club in Congress. It was known as the "Young Indians." At first and for months there were but 7 of us. They were Truman Smith of Con. Abram Lincoln of Illinois, Wm. Ballard Preston of Va. Thos S. Flourney John S. Pendleton of Va. Toombs & myself of Georgia. Others came in afterward . . . We opened an extensive correspondence--soon put the ball in motion.<sup>4</sup>

The truth of this statement, made years after the events, has never been seriously questioned by historians. Stephens, on the basis of this declaration and a similar one in his official biography, has been accorded a major role in the early Taylor movement. However, the evidence seems to indicate that his influence has been exaggerated.<sup>5</sup>

Naturally, many Whigs played a part in the nomination story. Northern and southern members of the party might differ on certain issues, but they had one cohesive factor in common--they wanted to regain the presidency. Thurlow Weed, a shrewd and crafty political operator, one of the kingpins of the New York Whig party, recognized Taylor's presidential potential shortly after the general's victories

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<sup>4</sup>AHS to J. Fairfax McLaughlin, 18 March 1871, Stephens Papers, EU.

<sup>5</sup>Johnston and Browne, Stephens, 224, states that as early as 1846, Stephens had pushed for the nomination of Taylor. The statement has been accepted by several historians. See, for example, Allan Nevins, Ordeal of the Union, 2 vols. (New York, 1947), I, 195; Poage, Henry Clay and the Whig Party, 157-58; Rayback, Free Soil, 36. See also, Von Abele, Stephens, 112.

in the early stages of the war. John J. Crittenden, a close Kentucky associate of Clay, had also discerned distinct presidential possibilities for Taylor at about the same time. At first Taylor had been coy. He denied having any political aspirations, but by December 1846 he was hinting that he might be amenable to a popular draft. After the general's brilliant victory at Buena Vista in 1847, Crittenden had firmly committed himself to Taylor's candidacy. The popular clamor for Taylor was unmistakable. Dozens of papers throughout the Union hoisted his name on their mastheads; popular meetings everywhere endorsed Old Rough and Ready for the presidency. Overnight Zachary Taylor became the most available man in the Union for the office.

The Georgia Whigs were not immune to the popular hubbub. Several of their county conclaves enthusiastically endorsed Taylor, and the state's Whig press likewise began to trumpet "Taylor for President" at every opportunity. And, as has been noted, the Whig convention, which met in July, had passed resolutions favoring Taylor for the presidency.

If Stephens had any part in this move by Georgia's Whigs, indeed if he even attended the convention, no evidence of the fact remains. It is interesting to note, too, that Stephens' Georgia organ, the Augusta Chronicle, at the height of the Taylor clamor in April 1847, was expressing its disapproval of hasty endorsements of Taylor and stating its own preference for Henry Clay, a more experienced man.<sup>6</sup>

What about Stephens' role after his return to Congress in

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<sup>6</sup> Holman Hamilton, Zachary Taylor: Soldier of the Republic (Hamden, CN, 1966), 198-99; Albert D. Kirwan, John J. Crittenden: The Struggle for the Union (Lexington, KY, 1962), 205; Augusta Chronicle and Sentinel, 21 April 1847.

December 1847? If the correspondence on behalf of Taylor which he and the rest of the "Young Indians" opened in that month was "extensive," then it seems strange that no trace of it seems to have survived. In fact, Taylor's name is not even mentioned in Stephens' letters with any frequency until March 1848. Only once before that time did Stephens mention Taylor, on 29 January, when he expressed the opinion that "General Taylor will be nominated unless I am greatly mistaken."

What had prompted this observation was the return of Henry Clay to Washington in January. Harry of the West, the old Whig war-horse, had remained quietly at home throughout most of the Mexican war. He entered the political stage once again, and resoundingly, in November 1847, delivering a speech at Lexington, Kentucky, in which he endorsed Stephens' "no territory" position on the war. If this speech was a trial balloon for yet another Clay run for the presidency, the Kentucky statesman must have been heartened by the response. The country's Whigs went wild with enthusiasm. Clay, not unnaturally, began to weigh his chances for the nomination. The frenzied reception with which he was greeted on his trip to the East in January only served to encourage him further. Finally, after a period of testing the political waters and finding them warm enough, Clay announced his candidacy for the nomination on 20 April 1848.

Had Henry Clay been privy to the secret opinions of his Georgia friends, he might have realized the hopelessness of his position in the cotton South. The opinions of Democrats were, of course, no secret. They had immediately blasted his Lexington speech, dis-



covering in it an ill-disguised effort to court the votes of abolitionists and Wilmot proviso men. (Clay had indeed been profuse in his lamentations over the evils of slavery.) The Georgia Whigs, however much they revered Clay, could not but be sensitive on this point. They were too vulnerable on it. It did not take the Democrats to arouse their suspicions of Henry Clay.

"They [the Whigs] think they discover an anxiety on the part of Mr. Clay to conciliate the Wilmot proviso men--& many think in the event of the acquisition of territory that he would concede the principle of that proviso." Such was the report of one Georgian. "They are deeply & solemnly impressed," he continued, ". . . that in no event can Mr. Clay get the vote of Geo. unless by an open & strong . . . disapprobation of the Wilmot proviso--& this must be made at once." Then was sounded the key element of Georgia Whig thinking. "Nothing can keep us together & save us but Genl. Taylor--nothing can destroy the Democracy but Genl. Taylor."<sup>7</sup>

Stephens was aware of sentiments in Georgia, but until the beginning of the session at least, he seems to have believed that Clay might receive the nomination. In January, when Clay returned to Washington, Stephens was highly flattered to hear that the Kentuckian had so well liked his resolutions that he had advised John Botts of Virginia to tell the House Whigs to "pass the resolutions of Mr.

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<sup>7</sup>AHS to LS, 29 January 1848, Stephens Papers, MC; Augusta Constitutionalist, 4 December 1847; Iverson L. Harris to John M. Berrien, 15 December 1847, Berrien Papers, SHC/NC.

Stephens" as the best policy on the Mexican war. But, Stephens told Linton, "I assure you that from what I have seen since I have been here that I consider the effort to elect him useless. The opinion here is too general that he cannot be elected. There is no confidence in his luck." The thought that Clay could not be elected was "painful," he said a week later, but true.

Painful the thought may have been in January, but in March Stephens was reporting that he was "for Taylor out and out because I think he can be elected and I do not think Mr. Clay possible can. . . . The great issues now before the country are of too great importance to hazzard [sic] them by running him again. . . . You may tell all our friends at home that Taylor is as true a whig as lives in this country. I know it."

Stephens knew no such thing. What he should have said was that he believed it. And he was now in daily contact with men who believed likewise--even more fervently, perhaps, than he did. On 13 March Stephens had moved from Mrs. Carter's. He took up his new lodgings at the Rush house on Washington Avenue. Toombs, to whom expense was no object, had rented the place and was living there with his family. Sharing the house also was John J. Crittenden, one of Toombs' closest friends, and Taylor's manager in the capital. If Stephens needed any convincing at all about the right man for the Whig nomination--and by this time he probably did not--living with these two Taylor stalwarts certainly would have provided it. The "great issues" before the nation were obvious: slavery and the

territories. Taylor, a nonpolitical military hero, besides being eminently available, offered one indisputable advantage to the southern Whigs. He was a southerner and a slaveholder. He could, therefore, be counted upon to crush the Wilmot proviso with his veto should he have to.<sup>8</sup>

In his characteristic fashion Bob Toombs railed bitterly against Henry Clay when the latter declared his candidacy in April. Accusing Clay of bad faith for running after assuring everyone in February that he would not be a candidate, "The truth is he has sold himself body & soul to the Northern Anti-Slavery Whigs. . . . Clay was put up & pushed by Corwin & Mr. Horace Greeley & Co to break down

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<sup>8</sup>AHS to LS, 11, 18, January, 22, 14 March 1848, Stephens Papers, MC. Cole, Whig Party in the South, 127, says that Stephens, Toombs, and Crittenden were part of a "southern insurgent movement" which had as its purpose the discarding of Clay and "with him the principles of party leadership for which he stood . . . party harmony and a . . . settlement of all sectional differences by compromise. He was, moreover, the one person to whom was conceded the undisputed right of defining party orthodoxy." I think the case is overstated here. The southern Whig support of Taylor was by no means a repudiation of compromise (after all, it was the southern Whigs en masse who supported the Compromise of 1850), nor of party harmony. In the eyes of southern Whigs, the northern wing of the party, by supporting the proviso, was uncompromising and promoting disharmony in the party. Repudiation of Clay by the southern Taylor Whigs was certainly not a repudiation of national Whiggery; it was repudiation of a man who had become identified with Tom Corwin, Horace Greeley, and the antislavery northern wing of the Whig party. Support of the proviso, in southern eyes, was the farthest thing possible from acting in accord with "national" principles. Support of the proviso was an act of sectional aggression. In fact, the Whigs of Georgia, in their May convention, passed resolutions of undiminished confidence in Clay's ability and integrity. Moreover, although they endorsed the nomination of Taylor at the party's national convention, they resolved that "we stand prepared to support Henry Clay" or any other Whig nominee who concurred with their views on the Wilmot Proviso. Augusta Constitutionalist, 11 May 1848.

Taylor in the South." Clay's association with the northern Whigs, thought Toombs, would make his election very dangerous to the South. He would not vote for Clay even if he got the nomination, Toombs declared. But Clay, bolstered by Berrien and James Smyth's Augusta Republic, still commanded some strength in Georgia, and the Whigs of Toombs' district were not particularly happy with this last statement. Perhaps their disapproval accounts for Toombs' vehemence. Nothing was more likely to anger Bob Toombs than being contradicted, even by friends.

If Stephens shared his friend's sulphurous sentiments, no record of it remains. He still based his support of Taylor on strictly pragmatic grounds, and towards Clay he spoke with a tone of wistful pity.

I regret Mr. Clay desires to be run again. He cannot be elected. This I consider certain. He cannot run as well as he did in 1844. And it is important to beat out the present Locofoco dynasty or the country . . . will be ruined. Taylor can do this--and I fear no other man can.<sup>9</sup>

While Stephens and his messmates at the Rush house were comforting themselves with assurances that Taylor was a Whig, the General was hardly acting as a party man. From the time that his name first vaulted into prominence after Buena Vista, Taylor, whom the Whigs were loudly proclaiming as one of their own, had exhibited a shocking carelessness in preparing replies to editors and state

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<sup>9</sup>Robert Toombs to James Thomas, 16 April, 1 May 1848, Toombs Papers, LC; AHS to John I. Stephens, 19 April 1848, Stephens Papers, EU.

politicians who bombarded him with political queries. In the first place, he accepted all nominations tendered him by local meetings--whether such meetings were Whig, Democrat, native American, or independent. This was bad enough, but the gaffes spawned by Taylor's feckless pen were even worse. In 1847 he had expressed his approval of an editorial in a free soil Democratic paper, the Cincinnati Signal, which advocated, among other things, an extension of the Ordinance of 1787 (barring slavery) over the new territories, a higher tariff, no distribution of the proceeds of land sales, and retention of the independent treasury. A few weeks after this, Taylor blandly informed a Whig correspondent that he lacked the time to investigate the constitutionality of a United States Bank or a protective tariff. He also lacked time, he told the Democrats of Clarksville, Tennessee, to comment on a set of resolutions they had sent him, resolutions which damned the whole Whig program, from the national bank to internal improvements.

Taylor's replies may have been honest, but they certainly were not calculated to buoy confidence in the nation's Whigs. His popularity underwent a precipitous decline. It hit a new low when a letter he had written on 30 January 1848 to a Philadelphian was made public. In this letter Taylor insisted that he would not be the candidate of any party nor would he be the exponent of party doctrines. The only nomination that interested him, he said, was one made independent of party considerations. The shock waves that this announcement sent through the Whig ranks were far reaching. It probably prompted Clay formally to enter the campaign lists.

Obviously, if Taylor was to capture the nomination, something would have to be done to put him right before the Whigs. This is what his Washington lieutenants set out to do in early April. Crittenden, after consulting with Stephens and Toombs, drafted a letter for Taylor's signature, and dispatched it by Major William Bliss, the general's adjutant, to Baton Rouge. On 22 April, this letter (or the substance of it) was printed in the Daily Picayune of New Orleans. It became known as the "first Allison Letter," and served as the closest thing to a platform the Whigs could claim during the campaign.

In this letter Taylor claimed that he "had no party purposes to build up . . . nothing to serve but my country." He claimed to be "a Whig but not an ultra Whig. If elected," he continued, "I would endeavor to act independent of party domination." On specific issues, the statement was a masterpiece of vagueness. The veto power, said Taylor, was "a high conservative power" to be exercised only "in cases of clear violation of the constitution, or manifest haste or want of due consideration by Congress." On the tariff, currency, and internal improvements "the will of the people as expressed through their Representatives in Congress ought to be . . . carried out and respected by the Executive."<sup>10</sup>

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<sup>10</sup>Brainerd Dyer, Zachary Taylor (Baton Rouge, 1946), 272-73, 277-79; AHS to Mary Butler Coleman, 13 October 1870, John J. Crittenden Papers, DU. The "Allison Letter" is found in Hamilton, Soldier in the White House, 79-81. There has been considerable historical debate over the authorship of the Allison letters--there was to be a second which appeared in September 1848. All of Stephens' biographers accept his word that the letter was a product of Crittenden's, written after full consultation with Toombs and himself. The basis of Stephens' claim is the letter to Mrs. Coleman, Crittenden's daughter, cited

Although Democrats, quite understandably, found Taylor's views "wishy-washy, neither one thing nor 'tother," and were quite certain that this letter could not have been written by Taylor--"There is more artifice in this than ever originated in Gen Taylor's own mind," observed the Mobile Register--the hitherto nervous Taylor Whigs were mollified. Congressional Whigs, under the unrelenting lobbying of Crittenden and the "Young Indians," were almost to a man opposed to Clay by the time of the Whig convention. And in June southern delegates passing through Washington on their way to the national convention in Philadelphia found this out. On all sides they heard the refrain: Clay is unavailable; Clay can't win; Taylor can win.

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above, reproduced in Mrs. Chapman Coleman, ed., The Life of John J. Crittenden, 2 vols. (Philadelphia, 1871), I, 294. See Von Abele, Stephens, 113; Rabun, "Stephens," 217; Johnston and Browne, Stephens, 227-28. A careful investigation of the authorship problem was made by Joseph G. Rayback in "Who Wrote the Allison Letters: A Study in Historical Detection," Mississippi Valley Historical Review 36 (June, 1949): 51-72, and he concluded that Crittenden was indeed the author. But Holman Hamilton, supra, in 1951, on the basis of new and convincing evidence claims that the first Allison letter was penned by Logan Hunton, one of Taylor's Louisiana lieutenants. Rayback, Free Soil, published in 1970, seems to have modified his earlier view. He writes: "His [Taylor's] managers and their friends in Washington and New Orleans responded nobly to the crisis. On 22 April a letter from Taylor to . . . Allison appeared . . .," 154. In the absence of conclusive proof to the contrary, the original draft of the letter which Taylor copied, I am inclined to agree with Rayback's modified position. Stephens, in his letter to Mrs. Coleman says that the Allison letter "embodied in substance what we had agreed upon as proper to be said by General Taylor and what your father told us he had written." [Italics mine.] It is very possible that the Crittenden draft was used by Hunton in the preparation of his own letter. We know from evidence presented by Hamilton that Taylor showed the New Orleans group which called upon him on 21 April letters he had received from leading men throughout the country. It is highly unlikely that Taylor would not have shown them a proposed campaign letter from Crittenden, his chief manager in Washington.

"It was impossible to counteract the movements made by members of Congress," wrote one of Clay's despondent supporters.

Stephens, accompanied by Linton, who was spending a few months with his brother this summer in Washington, attended the Philadelphia convention, not as a delegate, but as a very interested observer. The Taylor organization functioned flawlessly. On the fourth ballot Zachary Taylor became the Whig nominee for President. As a sop to the northern wing of the party, Millard Fillmore of New York was selected as his running mate. The party, following its successful strategy of 1840, did not form a platform. To have attempted to do so, given the hopeless heterogeneity of the Whigs and their differences on the slavery question, would have been political suicide. As it turned out, Zachary Taylor, the man on the white horse, the gallant military chieftain, was sufficient in himself to win the election, just as Harrison had been in 1840. But in early June, it still remained to be seen whether northern Whigs of strong antislavery views like Tom Corwin of Ohio (who had once expressed the opinion that Taylor's sole qualification for office was "sleeping forty years in the woods, and cultivating the moss on his legs") could reconcile themselves to the titular leadership of a Louisiana plantation owner and slaveholder.<sup>11</sup>

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<sup>11</sup> Milledgeville Federal Union, 2 May 1848; Mobile Register, 27 April 1848, quoted in Rayback, "Who Wrote the Allison Letters," ibid., 56; James Harlan to Henry Clay, 15 June 1848, quoted in Kirwan, Crittenden, 220; Corwin quoted in Rayback, Free Soil, 233.



Taylor's Democratic opponent, nominated a few weeks later in Baltimore, was Senator Lewis Cass of Michigan, former militia general, governor of Michigan, minister to France, and Secretary of War. Cass had won the nomination of his party by being the first prominent Democrat to espouse the "popular sovereignty" formula to solve the territorial slavery problem. On its face popular sovereignty was a plausible and effective rubric. The people of a territory, so ran the doctrine, would decide for themselves whether or not slavery would exist there. In this way the inherently divisive issue of congressional authority to interfere in the territorial slavery question was sidestepped. The popular sovereignty formula had merit: it bought time to solve the problem, possibly postponing a showdown on territorial slavery forever, while at the same time keeping the party, and the country, together. Designed to alienate as few Democrats, northern or southern, as possible--it never for a moment fooled the Calhounites or pleased the militant antislavery Van Buren people in the party--the popular sovereignty doctrine, or "congressional nonintervention," became Democratic dogma. And for the best of reasons. It allowed Democrats in both sections of the country to construe the formula's operation, as long as such operation remained hypothetical, to their own advantage. Like the theory of cosmic ether, popular sovereignty worked perfectly well until it was tested--and then it proved to be an abstraction just as unsubstantial.

Stephens, as committed a Taylor supporter as anyone in the country, had nothing but scorn for Cass' doctrine. To make sure

that Georgia Whigs were properly educated on the matter, he wrote several articles for the Southern Recorder assailing the formula. He could not conceive how the "mixed" population of a territory could shut out slavery. "How can we be said to have a right depending upon the will, caprice or whim of such a people!" Why, it was "no right at all." It was "preposterous . . . absurd . . . an insult." If trust could not be put in a cotton and sugar planter with two hundred slaves over Cass of Michigan, said Stephens, then the Whigs should give up.<sup>12</sup> In short, what need was there for a formula to solve the problem, when the election of a slaveholder obviated it? Stephens had sounded the keynote of the Whig campaign in the South.

Before he returned home to campaign for Old Zack, Stephens still had one more significant role to play in the House. It was mid-July. The capital was abysmally hot and muggy. Legislative tempers, irritated by months of indecisive wrangling through one of the longest congressional sessions on record, were made even shorter by the realization that absolutely nothing of substance had been accomplished. The California and New Mexico territories were unorganized, as was the Oregon territory. Oregon--that country so vital to the United States interests two years before--was still without a territorial government because of the slavery question. President Polk, who would be dead within a year (from overwork and frazzled nerves, some said) desperately needed a settlement. As if to underscore Oregon's

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<sup>12</sup>AHS to "Dear Doctor," 17 July 1848, Miscellaneous File 434, Stephens Letter, GSA.

plight, an Indian war had broken out there. This was not the only war going on. The Democratic party was at war with itself--Van Buren's wing of the party, the Barnburners, uncompromisingly antislavery and snarlingly anti-Polk, had bolted the party's convention in June.

(In August these disaffected Democrats, along with antislavery zealots of various other stripes, would join together to form the Free Soil party and run Van Buren for President on a platform that demanded the restriction of slavery to its present limits.)

Several tries at organizing Oregon had been made. Application of the Missouri compromise line to the area had been voted down in 1847 and again in 1848. The popular sovereignty formula was proposed, and then tabled. On both occasions, Calhoun, his sensitive Carolina nose sniffing danger to the South--in the first case, by admitting congressional authority over slavery in the territories; in the second case, by allowing an effective disbarment of slavery in practice--had led opposition to settlement of the question. Finally, on 12 July, John M. Clayton, a Whig senator from Delaware, proposed the formation of an eight-man committee (four each of Whigs and Democrats, northerners and southerners, equally divided) to hammer out an acceptable compromise of the slavery question in all the territories. Six days later the select committee, of which Calhoun was a member, reported an involved and palaverous bill which came to be known as the "Clayton Compromise." On the crucial questions of Oregon, New Mexico, and California the bill did this: 1) recognized the validity of Oregon's existing antislavery laws, but allowed the legislature to change them

in the future, 2) prohibited the territorial legislatures of California and New Mexico from passing any laws concerning slavery, and 3) provided that all questions on the constitutionality of territorial slavery be referred on appeal to the Supreme Court. In short, Congress had decided to dump the whole problem into the lap of the Supreme Court. Presumably, the people of the country would abide by the decision.

The bill was ambiguous enough to attract votes from both sides of the Senate. On 27 July, after a marathon debate of twenty-one hours, the upper house, with Calhoun, Berrien, Cass, and Jefferson Davis all in support passed the measure 33-22. On the next day, as soon as the bill reached the House floor, Alexander Stephens of Georgia moved to table it. The bill would not quiet the country, he said; it would simply postpone the question, and Congress had been in session long enough. It was time to go home. Amidst utter consternation, and after perfunctory debate, the Clayton bill was tabled by a vote of 112-97. Not one of the seventy-three northern Whigs voted "nay." Not one of the forty-nine southern Democrats voted "aye." Both northern Democrats and southern Whigs had divided on the test vote, 31-21 and 8-27 respectively. It was obvious that Stephens and his seven southern Whig colleagues had been the balance of power.

From the Democrats of Georgia there immediately arose an outraged yowl. "Oh Whiggery! manifold are thy sins! But this is the climax of its iniquities," raged the Constitutionalist. "A Georgian was the man who took the lead in this act, which stabs the very bosom

of his country's peace." The Federal Union immediately established on its front page a black-bordered box headed: "Who Killed the Compromise Bill?" followed by a list, entitled "The Immortal Eight," with Stephens' name in block capitals at the top. It ran the list for weeks, until the campaign ended. Thomas Ritchie, the editor of the Washington Union, the administration organ, said that no southern man, no friend of compromise, or no friend of the Union would envy Stephens "the miserable distinction" of having killed the compromise.<sup>13</sup>

The savage din continued for weeks. All over the country the Whigs were accused of killing the Clayton bill for mere partisan purposes. "Look at our little pigmy Stephens [sic]," spat Wilson Lumpkin. Robert Barnwell Rhett, another Calhounite, also blamed the eight southern Whigs for the defeat. "They thought by leaving the affair open Genl. Taylor would carry every Southern State against Genl. Cass, and that at the North the latter would be completely broken down by his equivocal position on the subject." President Polk, too, thought that the bill would have surely passed had no presidential election been pending. But it was the Georgia press that was most pitiless in its castigation of Stephens. Its insults were magnificent. Stephens was a "miniature edition of a would-be John Randolph, in calf binding . . . whose personal appearance is all that he is indebted to for his public notoriety." He was a "viper" in the bosom of the South looking only to promote the "ambitious views of a few party

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<sup>13</sup>David M. Potter, The Impending Crisis 1848-1861 (New York, 1976), 71-74; Cong. Globe, 30th Cong., 1st sess., 1007; Augusta Constitutionalist, 1 August 1848; Milledgeville Federal Union, 28 September 1848; Washington Union, 29 July 1848, quoted in Rabun, "Stephens," 208.

leaders." Sneered the editor of the Federal Union:

So exalted are his own conceptions of the clearness of his own intellectual vision that he will not deign to be guided by the wisdom of the towering intellects around him. . . . If he is Solomon, then Calhoun and Berrien are ninnies and fools. If he is the friend of the South, then are the Giddings and Palfreys not to be dreaded, for they have not sense enough to direct the war they would wage against her.<sup>14</sup>

Some of the Whigs in Georgia were similarly outraged by Stephens' course. "This is a real 'horsekiss' and 'bear hug' of the South," stormed Smyth's Augusta Republic, and he hoped that the "calculating demagogue" who would hazard his country's safety would be "damned forever." Naturally the friends of Berrien, long past his days of influence in the party largely through the agency of Toombs and Stephens, saw nothing in Stephens' action but another calculated bid for further control of the state party. But these reactions were exceptional. Most of the Whigs were content to await some explanation from Stephens, albeit some waited with more impatience than others. "NO ULTRAIST," who wrote a letter to the Southern Recorder, could not understand why Stephens did not defer to the judgment of men like Berrien, Mangum, and Calhoun and approve the bill. "It appears to me," he wrote, "that he has forced upon the people a conviction of rashness--perhaps even of arrogance." Nor could he comprehend how

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<sup>14</sup>Wilson Lumpkin to John C. Calhoun, 25 August 1848, Calhoun Correspondence, 471; Gilpin to Martin Van Buren, 28 July 1848, quoted in Rayback, Free Soil, 253n.; Quaife, ed., Polk Diary, IV, 34; Augusta Constitutionalist, 12, 15, 19, 29 1848; Milledgeville Federal Union, 29 August 1848.

Stephens could work to defeat a bill so loudly denounced by the abolitionists and freesoilers as a surrender to the South. Unless a satisfactory explanation was forthcoming, wrote another correspondent in the same vein, he would not longer support Stephens for Congress.

As usual, the Chronicle was Stephens' staunchest defender. In its opinion Stephens had acted correctly. As far as that paper could determine there was little in the Clayton bill that favored the South. The North, it said, would get all the "substance" and the South but the "shadow." "It is far wiser . . . to secure . . . a reasonable share of the acquired territories, for . . . the South, than to claim all, through the hoped for favorable decision of the Supreme Court, and get nothing." And as for the Democratic charge of partisanship--nonsense. It was the Democratic clamor that was being made for political effect. "The passage of the bill," said the Chronicle, "would have greatly increased the anti-slavery excitement in all the free States and helped Southern Democrats to defeat the election of a Southern President."<sup>15</sup>

The state of Georgia and the rest of the country did not have long to wait for explanations from Stephens. On 7 August, while the House was considering two special messages from Polk (on peace with

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<sup>15</sup>Augusta Republic, 31 July, 11 August 1848, quoted in Rabun, "Stephens," 207-08; Iverson L. Harris to John M. Berrien, 23 August 1848, Berrien Papers, SHC/NC; Milledgeville Southern Recorder, 8, 15 August 1848; Augusta Chronicle and Sentinel, 26 July, 1, 7 August 1848. The Savannah Republican, 3, 5 August 1848 also expressed its doubts about the South receiving any practical benefits from the passage of the bill. It would have been defeated in the House anyway, it said, even if it had been discussed.

Mexico and territorial organization), Stephens obtained the floor and spoke for an hour. His argument for opposing Clayton's bill was typical of the man. It was legalistic, resting on his own interpretation of points of law. While most southerners in the House and Senate were satisfied with allowing the Supreme Court to decide the territorial slavery question, confident that the Court would rule in the South's favor, Stephens thought otherwise.

The compromise bill, he said, should be entitled "Articles of Capitulation on the part of the South," for the bill proposed complete abandonment of the South's position and "a surrender" of her right "to an equal participation" in the new territories. He scornfully denied that party purposes had anything to do with his decision to move for tabling the bill. "I was governed by my own deliberate judgment upon the real character of the measure." But a few minutes later, he intimated that political considerations had indeed entered his mind. "The great issue between the two sections of the country . . . has to be met sooner or later, and no shifting of responsibility, in order to get a postponement for the purpose of carrying a Presidential election, or relieving a candidate from an almost universally condemned position, will successfully evade it." It is hard to tell what Stephens meant by meeting the issue, if giving the matter over to the Court was "a postponement." But, this much is clear: passage of the Clayton bill, in Stephens' mind would allow Cass to weasel out of having to defend his popular sovereignty doctrine. There is no evidence to indicate that Stephens actually thought that slavery



would be able to reestablish itself in the west.

But this question was immaterial to Stephens anyway, and the political effects of the bill were not his major reason for opposing it. He apologized for making a sectional appeal on the floor of the House, saying that this was something he rarely did "unless to repel attacks or to maintain what I believe to be right and just." He then proceeded to make his sectional appeal. The bill, he repeated, was a complete surrender of the rights of the South. Slavery could have no legal status in California and New Mexico, because by well established principles of international law, all the laws in force in a conquered country remained in force until altered or abolished by the conquering power. Stephens here named a long list of authorities to prove this: Grotius, Vattel, Lord Mansfield, John Marshall, and various decisions of the Supreme Court. Citing relevant statutes, he said that Mexico had abolished slavery in 1829. Thus it was plain that the institution had no legal status in the territories at the time of conquest. Could anyone doubt, asked Stephens, which way the Supreme Court would rule on the question?

At this point Congressman Frederick Stanton of Tennessee interrupted: Was not slavery recognized by the Constitution? Yes, answered Stephens, "but only when it is not prohibited by laws of the State, or place or for the purpose of protecting it there." The only recognition the Constitution gave to slavery where it was prohibited by local law was in its provision for the capture of runaways.

The constitution, I say, fully and amply recognizes slavery where it exists, but it establishes it no-

where it is prohibited by law. It is important that the public mind at the South should not be misled upon this point. The constitution no more establishes or carries slavery into States or territories where by law it is prohibited, than it establishes or carries any other right of a citizen which depends upon the local law.

Stanton interrupted again. Did he understand Stephens' position to be that it was within Congress' power to extend slavery into territories where by law it did not exist? It was a sharp question, related to Stephens' previous denial of the Calhoun position that the Constitution automatically applied to conquered territories, that slavery was recognized by the Constitution and, therefore, was a constitutional right in all territories. Stanton was asking if Stephens believed in congressional intervention on the subject of territorial slavery. "It is the duty of Congress," he replied to Stanton, "to see to it, that the just and equal rights of my section are guarded, protected, and secured by all necessary legislation . . . in governing, it is the duty of Congress to act justly and fairly towards the rights and interest of all who are entitled to an equal share in the same common domain."

Stephens, as this passage makes clear, believed at this time in congressional protection of slavery in the territories, a position he would later repudiate. Congress had never passed any protective laws, and it was wholly unlikely to do so now. What solution did Stephens envision, then, for the problem? There were two possible compromises he would accept, he said. Either a division of the territory along the line of the Missouri Compromise, or perhaps along the line of one of the mountain ranges was acceptable. It had

to be one of these or a rejection of the territory altogether. For his part, said Stephens, he would refuse to vote a single dollar to carry the territorial acquisitions provisions of the treaty into effect "if the institutions of my section are to be wholly excluded from them." If the compromises he suggested, or something like them, were turned down, and the proviso enacted by the North "then, sir, it will be for the people of the South to take their own course, such as they may deem their interest and honor demand." And, he added, he would follow them in whatever course they chose.

Stephens certainly sounded more militantly sectional than he ever had before on the floor of Congress. No alarms about the safety of the Union, alarms being raised by Polk and the Washington Union, for example, were going to deter him from "the open and fearless maintenance" of his section's rights--even if he stood "solitary and alone" in doing it.<sup>16</sup>

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<sup>16</sup>Cleveland, Stephens, 334-52. It is interesting to note that the legal position Stephens here assumed was shared by other competent authorities: by a future justice of the Supreme Court, John Campbell, for example, and by Lewis Cass, the Democratic nominee for President. Several of the Georgia papers, of both parties, also held that Mexican law prohibiting slavery in California and New Mexico was controlling until repealed by competent authority. See John A. Campbell to John C. Calhoun, 1 March 1848, Calhoun Correspondence, 430-34; Nevins, Ordeal, I, 30; Augusta Chronicle and Sentinel, 21, 24 June 1848. Years later, after Stephens had become a Democrat and adopted the "non-intervention" formula totally, he made this interesting observation on his opposition to the Clayton bill: "[it] was not entirely or solely because it did not protect but because it perpetuated the existing status of the country at the time of acquisition, which was anti-slavery. I wished that status changed either by Congress or that authority might be given to the territorial legislatures to change it. That bill tied the hands of both Congress and the territorial legislatures forever." AHS to J. Henley Smith, 10 July 1860, TSC corr., 486-87.

It would be erroneous to deny that Stephens maintained this position in complete disregard of its political implications. Surely he was aware that by tabling the Clayton bill, he was foregoing a "settlement" of the issue on the eve of a presidential election. But it would be just as erroneous to contend that Stephens was motivated solely by a desire to keep the slavery issue alive so as to aid Taylor's presidential chances, or that he so hated Polk that he would torpedo any measure the President favored.<sup>17</sup> In the first place, the Clayton bill was the nearest thing to a bipartisan measure the Congress had yet devised on the slavery question. It was supported by both the National Intelligencer and the Union. Even so, given the House vote, it may be that the measure "had a strong Democratic identity," as one historian has suggested; but the fact that it was opposed by eight "avid Taylor men" in the House<sup>18</sup> hardly establishes the fact the Taylor southerners voted to table so as to aid their man in November. Other avid Taylorites from the South supported the measure: Toombs, for example, and Hilliard, Preston, and Pendleton, all members of the "Young Indians"--not to mention the vast majority of southern

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Stephens' memory was not too good. He never conceded in 1848 the right of a territorial legislature to do anything about slavery. This would have been agreeing with Cass' position.

<sup>17</sup>This is the position maintained by Rabun, "Stephens," 207, and by Cooper, "Politics of Slavery," 304-05. Cooper is mistaken in saying that four southern Whigs and three border state Whigs made up part of the contingent that voted to table the Clayton bill. Stephens was the only deep south Whig to oppose the measure in the House. There were seven southern Whigs who joined him, all from the border states: three from Kentucky, and one each from Virginia, North Carolina, Maryland, and Tennessee.

<sup>18</sup>Cooper, ibid., 305.

Whigs in the House. One is forced to conclude that Stephens' reasons for opposing the Clayton bill were exactly what he said they were. Assuming an independent position in defiance of the learned opinions of the "towers of intellect" around him was, after all, hardly an unusual thing for Alexander Stephens to do. As far as matters of intelligence were concerned, Stephens always felt himself primus inter pares. He had come to the conclusion that the bill offered no "settlement" of the slavery issue at all, and just as he had insisted on a clear settlement of the issue when Texas was annexed, he now insisted on a clear settlement in California and New Mexico. Stephens was as immovable as concrete once he had made up his mind--and for the rest of his life he stuck to the same explanation of his motives as he had maintained in his speech.

But his position was difficult to understand, and when Stephens returned to Georgia to campaign for Taylor, he found himself quite as much an issue as the merits of the presidential candidates. With the exception of the Augusta Republic, which thought that looking to Congress to protect southern rights was like putting "a flock of sheep under the protection of a wolf," the Whig papers of Georgia loyally supported him.<sup>19</sup> The Democrats, of course, were positively livid in their fury--"traitor" being only the most common epithet they applied to him. So violent was Democratic criticism and the confusion amongst some Whigs that Stephens endeavored in long letters to both Milledge-

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<sup>19</sup>Augusta Republic, 18 August 1848, quoted in Rabun, "Stephens," 211; Augusta Chronicle and Sentinel, 17, 26 August 1848; Milledgeville Southern Recorder, 5 September 1848.

ville papers to reiterate and amplify what he had said in Congress.

His most cogent reply was to the editor of the Federal Union, who had posed a series of six questions. 1) "Do you believe that Congress has the right under the Constitution, to prohibit slavery in the territories of the United States?" No, replied Stephens, Congress had not the right "either in honor, justice or good faith," and legislation by either Congress or territorial legislatures excluding slavery "would be in direct violation of the rights of the southern people to an equal participation in them." It is significant that the question of congressional power to exclude slavery in the territories was not at issue here. Had it been so, Stephens might have found the question considerably more difficult to answer. 2) Was it his opinion that the Constitution did not "guarantee to the slaveholder the right to remove with his property into any territory of the United States and to be protected in the undisturbed use and enjoyment of his slaves as property?" The editor misunderstood him, said Stephens. The Constitution did guaranteed such rights "in every State and territory of the Union where slavery was not prohibited by law." But it did not establish slavery "where it was so prohibited." 3) Did this right exist in New Mexico and California? Stephens' answer was a long one. The Constitution guaranteed a master's right to his slaves "in all territories of the United States where slavery is not prohibited." Slavery was prohibited in the territories by Mexican law, and these laws would continue in force until repealed by competent authority. The existence or non-existence of slavery was not incon-

sistent with any provision of the Constitution. In short, Stephens answered "no." 4) If slavery were abolished by Mexican law, then what rights was the South surrendering in the Clayton bill? Again the editor had misunderstood him, Stephens said. The South certainly had a right to full and equal participation in the territories, in spite of Mexican laws. "Congress has no right to exclude the South from an equal share, and it is the duty of the Congress to see that the rights of the South are as amply protected as the rights of the North." It was this right of legal protection that the Clayton bill surrendered, for the bill excluded the South from Oregon (thereby protecting northern rights) but left it to the Court to decide in New Mexico and California (thereby making it necessary for the South to sue to obtain her rights).

5) If the South had no rights by the Constitution to carry their slaves into the territories, by what right did he claim it? "Upon the broad principle of justice" because "it is the fruit of common blood and treasure," answered Stephens. "And if the South presents an unbroken front . . . against paying one dollar for the territories unless this justice is awarded to them" then Congress, even as it was presently constituted, would have to recognize this principle. 6) Did Stephens not think the question was safer with the Court than with Congress, where majorities of both houses were against the South? No, he replied flatly. Reference to the Court was "a total abandonment of the question by the South." He was "opposed to referring any political question to that court." He would demand that the rights of his constituents "be clearly and distinctly recognised by Congress, that

they be amply protected by all others before whom they may come."

Thus, with stubborn precision and reasoning that cannot be seriously faulted--if one accepts Stephens' basic premise that the South had "rights" in the territories that Congress was bound to recognize--did Stephens insist that the problem was political, not judicial. A few years later, he would be only too happy to get a Supreme Court ruling on the question. As for now, he was content to trust the explosive issue to Congress, in hopes that "justice," almost by some mysterious and supranatural power of its own, would prevail.

The Federal Union's reaction was predictable. It found Stephens' reasoning "vague and unsatisfactory," savoring "more of transcendentalism than sound, practical statesmanship."<sup>20</sup> But evidently transcendentalism was quite good enough for the voters of the Seventh District. Only in the last month of the campaign was a Democratic sacrificial lamb, in the person of one Joseph Day, found to oppose Stephens. Little Aleck, like Toombs in the Eighth District, was nominated without opposition by the Whigs. The Democrats attempted, without much success, to use the Clayton bill vote against Stephens. Hershel Johnson even solicited John C. Calhoun to write some letters for Democrats to use against Stephens in the state. It was a measure of their desperation of ever beating him.

With their own districts completely safe, Toombs and Stephens

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<sup>20</sup>AHS to Messers. Grieve and Orme, 19 August 1848, Milledgeville Southern Recorder, 22 August 1848; AHS to Editor of the Federal Union, 30 August 1848, Milledgeville Federal Union, 12 September 1848.



had time to bear the full load of campaigning for Taylor. Berrien and his followers, although outwardly acquiescing in Taylor's nomination, remained at heart Clay men, unable to summon up the fiery zeal Old Zack's cause required. So the brunt of the campaigning for Taylor fell onto the shoulders of Toombs and Stephens. The Democrats were up and furious, fighting "with a determination I never before witnessed," marvelled Toombs.<sup>21</sup>

It is easy to understand the Democratic ferocity--they were, at least in the South, a frustrated group of men. If ever there was a presidential campaign devoid of substantive discussion, it was the Taylor campaign of 1848. Indeed, the Whig strategy in the South was purposely to avoid the issues, to play up Taylor's southernness and heroic virtues, and to deride the notion that the election of such a man could present any danger to the South. "They refuse," fumed one Democrat, "to acknowledge that they are for any of the old Whig measures--wont tell what they are for, and go it blind for Taylor as a slaveholder and a hero." Whig speeches, he said, consisted of three parts: abuse of Cass and the Democrats, discourse on the impossibility of trusting any northerner on the slavery question, and glorification of Taylor's battles. Long before the nominations were even decided, the Savannah Republican had sounded the keynote of the southern Whig campaign. "Under the glorious banner of our Southern Candidate

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<sup>21</sup>Rabun, "Stephens," 219-20; H. V. Johnson to John C. Calhoun, 25 August 1848, Calhoun Correspondence, 470; AHS to John J. Crittenden, 26 September 1848; Robert Toombs to id., 27 September 1848, TSC Corr., 127-28.

Zachary Taylor, the South will find . . . safety. . . . him we all know to be one of ourselves, in heart and interests; and more to be trusted than any slippery [Democratic] political juggler." When the Democrats, quite rightly, demanded an enumeration of Whig principles, they were answered with scorn, and deafening platitudes. "Platform, indeed!" scoffed one Whig editor. "There is but one platform on which a man can stand with safety, and that is the CONSTITUTION of the country. On this . . . OLD ROUGH AND READY has pledged himself to stand. If elected, he will redeem the pledge."

Such was the pervasive paranoia over slavery in the South that normally perceptive men were actually convinced by such nonsense. Alexander Stephens was no exception. "Shall it be said," he wrote in July, "that the South cannot trust their peculiar interest in the hands of a cotton and sugar planter of La. but must look for a man in Detroit who has not a policy in common with them to take charge of their rights. . . . It cannot be!" This from a man of intelligence. The "weak heads," as one disgusted Democrat termed them, were even more impressionable. They were being convinced by "the fool idea constantly harped upon by the Whig press, of having a second Washington in the chair of state."<sup>22</sup>

The strategy of both parties was the time-honored one of attempting to show up the opposition as less trustworthy in defense of

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<sup>22</sup>W. H. Hull to Howell Cobb, 22 July 1848, Cobb Papers, UG; Savannah Republican, 27 September 1847; Columbus Enquirer, 20 June 1848; AHS to J. W. Harris, 11 July 1848, Stephens Papers, LC; Thomas W. Thomas to Howell Cobb, 7 July 1848, TSC Corr., 115.

southern rights. The Democrats made the most of Taylor's ominous silence during the campaign. They reprinted articles from the northern Whig press which lauded Taylor as being opposed to slavery's expansion. And they assailed Millard Fillmore, Taylor's running mate, as an abolitionist because he had voted while in Congress to receive abolitionist petitions. The Whigs replied by linking Cass, because he was a northern Democrat, with Wilmot and Van Buren. Both parties appealed to the other's malcontents, and emphasized divisions in the opponent's ranks. The Whigs harped on Calhoun and the Carolinian's differences with Polk; the Democrats made the most of the Berrien-Stephens split on the Clayton bill, and the former's silence during the campaign.<sup>23</sup>

In September, however, the Whigs received an unexpected boost. An enraged Democrat almost killed Alexander Stephens, one of the Whigs' most illustrious members. This event was enough to stimulate the herd instinct among the Georgia Whigs, and it even brought Berrien himself out onto the stump.

Judge Francis Cone, Stephens' assailant, was a jovial giant of a man, well over two hundred pounds in weight. Stephens had known him for years; they had ridden the northern circuit together since the middle 1830s. Like many another Democrat, Cone had been outraged by Stephens' role in tabling the Clayton bill, and had bitterly denounced him as a traitor to the South. Rumors of this scurrility, rumors which

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<sup>23</sup>Augusta Constitutionalist, 24 June 1848; Milledgeville Southern Recorder, 11 July 1848; Shryock, Georgia and the Union, 167-77.

Stephens at first discounted, had already reached Stephens before he and Cone met at a political barbeque in late August in Putnam county. Stephens asked the judge if the rumors he had been hearing were true, and Cone denied them. It was a good thing that was so, declared Stephens, for had they been true, he would have slapped Cone's jaws. And, continued Stephens, in fairness he should mention that he had told others of his intention. The judge apparently took this in his usual good spirits.

There the matter might have ended but for Cone's sensitivity and the hundreds of twittings he began to receive. The "confrontation" between Cone and Stephens was soon gossip all over Georgia, and for the next few days poor Cone was mercilessly ribbed. Had Little Aleck slapped his jaws yet? Did he need help if Stephens should assault him? Could he handle his violent opponent? Everyone enjoyed the joke but Cone, who apparently became convinced that people thought he was a coward--and in the antebellum South only a Negro was lower than a coward. On 26 August Cone penned a frosty note to Stephens demanding a retraction of the threat. Stephens wrote out his reply on the twenty-ninth, an infuriatingly mild little letter that said the threat had only been contingent. Since the judge had denied calling him a traitor, the matter was closed. There was no occasion for offense or anger.

Before he received this reply, Cone encountered Stephens--whether by design or accident is unclear--on the piazza of the Thompson Hotel in Atlanta. Stephens was passing through town on the train from Macon, en route to Crawfordville. The dinner bell had rung, and all

of the passengers were inside the hotel save Stephens, who had stayed behind to direct the transfer of his baggage onto the Georgia Railroad cars. Cone was sitting alone on the porch as Stephens walked up from the depot. Cone stopped him at the entrance to the hotel and brusquely demanded a retraction of the threat. Stephens' reply was icy. He had already replied in writing, he said, and did not intend to discuss the matter further. Accounts vary as to what Cone then said. He either called Stephens "a miserable little traitor" or "a damned puppy." Whatever the remark, Cone was instantly answered with a stinging blow across the face from the thin rattan cane Stephens always carried.

Cone, enraged, drew a knife from his pocket and began slashing. Stephens, his body and arms cut in several places, attempted to fend off the blows with his cane. The judge pressed on, throwing his full weight on Stephens. The bloodied congressman toppled backwards to the floor. Cone was atop him in a flash. His left arm pinioned Stephens' head to the boards. Brandishing the blade before Stephens' eyes, he roared, "Retract, or I'll cut your damned throat!"

"Never! Cut!" The knife flashed downwards, and Stephens caught it in his right hand. It sliced between the thumb and forefinger, a two inch gash clear to the bone. The commotion had brought others to the scene, and several of these succeeded in pulling Cone away. Stephens staggered to his feet. Disheveled, trembling, and bloody, he was carried into the hotel. Fortunately there were three doctors immediately at hand, one an army surgeon. Stephens had his wounds dressed quickly. There were six of them: one on each side,

one on each hand, and a couple on the chest, one of these a puncture near the heart.

That night an anxious, quietly-worried crowd thronged the Crawfordville depot awaiting news from up the line. Initial reports had been frightening--Stephens would not live, they said. When the train from Atlanta chugged in, a passenger shouted that his life was in no danger, and a roar went up from the crowd.

Cone was arrested and charged with assault with intent to murder. Stephens, who perhaps better than most men knew the corrosive power of anger, refused to prosecute. And he let it be known, before the election, that he had forgiven his assailant. Cone later pleaded guilty to the lesser charge of stabbing and was fined eight hundred dollars.<sup>24</sup>

The Whigs naturally proceeded to get as much political mileage out of the attack as possible. Whig papers all over the country portrayed the attack as politically motivated, a cowardly assault by desperate Democrats on one of the purest statesmen in the nation. Democrats, of course, expressed regret for the incident, but beyond this there was little they could do to repair the damage. "Stephens, as the whole country knows," wrote one disgusted Democrat, "is getting a damned sight too insulting for civilized people." But, he continued, if only half of what he was reading in the Washington papers were

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<sup>24</sup>The Stephens-Cone correspondence is in Milledgeville Southern Recorder, 12 September 1848; SENEX to Columbus Enquirer, Columbus Enquirer, 5 September 1848; Savannah Republican, 8 September 1848. The basic account of the incident is in Johnston and Browne, Stephens, 232-34, an account which multiplied the number of wounds to eighteen.

true, the party would be severely hurt. George S. Houston reported that the attack had cost the Democrats votes in Alabama.

The Georgia Whigs played up Stephens' near martyrdom for all it was worth. At a mammoth rally in Atlanta on the night of 14 September, a profusion of banners and transparencies depicting the incident fluttered above the heads of some 8,000 of the party faithful. On one "a monster in human form," clutching a blade, grasped the throat of a fallen figure "about the size of a piece of chalk." The inscription read "Matter on Mind--Cone on Stephens." A second side read: "Stephens: invincible against false arguments and the knife of the assassin." Little Aleck himself was on hand for the rally, at the head of a long torch-lit procession of Whig dignitaries. Much to the revulsion of Democrats, Stephens "was drawn through the streets in an open barouche, by some of his obsequious followers, who for the occasion discharged the duty of horses."<sup>25</sup> (The Whigs, as they explained it later, did not trust this precious cargo to skittish horses.)

How could the Whigs have resisted such an opportunity to exhibit their wounded hero? It had been whispered that Stephens would be present, but no one knew for sure. When his frail form finally hove into view, the sultry air was rent with a continuous cry--"Stephens! Stephens! Stephens!" A Whig reporter found this demonstration of affection so "touching, eloquent, [and] sublime" that it "caused the

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<sup>25</sup>Thomas D. Harris to Howell Cobb, 8 September 1848, Cobb Papers, UG; George S. Houston to *id.*, 23 September, 23 October 1848, TSC Corr., 126, 131; Milledgeville Federal Union, 26, 19 September 1848.

manly tear to start in many an eye, and the bosom of many a warm-hearted Whig to swell with emotions more easily imagined than described." After Toombs, Berrien, Dawson, and others had spoken, in response to continuous cries from the crowd, Stephens tottered to the front of the platform. The roar was deafening. He was too weak to speak, said Stephens, but he did tell them a little story about a poor Mexican War veteran, who, upon taking leave of a kindly benefactor, had asked but one thing of him--"Don't forget to vote for Old Zack." This was all he, too, could ask of his friends, ended Stephens. Even Democratic observers were impressed with the tumult that attended Stephens' little speech. It was "impossible to give an adequate description of it," wrote one reporter. "Never have I seen such wild excitement pervade a multitude."<sup>26</sup>

The convalescing Stephens was out of the campaign for a month, but he kept in touch with party leaders by letter, scribbling in a painful scrawl with his left hand. He would not regain the use of his right hand for several months. The burden of the stumping now fell heavily on Toombs, who hardly spent a day at home. Toombs, a rousing stump speaker, did his work well. When the congressional elections took place on 2 October, the parties once again divided the state's eight seats evenly. Stephens and Toombs carried their own districts with ease. Stephens won by 1,417 votes, Toombs by even more. In the state as a whole, however, the Democrats had prevailed by the tiniest of

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<sup>26</sup>Augusta Chronicle and Sentinel, 18 September 1848; Augusta Constitutionalist, 17 September 1848.



margins: 257 votes out of a total of more than 77,500. For political soothsayers pouring over these results, they meant only one thing-- the Democrats were in trouble. Although they had erased the Whig majority of 1846, Democratic majorities in the districts they carried were smaller than before. "There is more defection in our ranks than . . . anyone supposed a month ago," lamented Alfred Iverson to Cobb. And from Alabama came the plaint, "What the diel have you been about? Why have you let the Whigs gain so in Geo.?"<sup>27</sup>

Whether Stephens' return to the stump in mid-October had anything to do with the final poll for President in Georgia is hard to say. But he spent most of his time in small north Georgia communities like Marietta, Dalton, and Cassville, areas of traditional Democratic strength. And in these areas, as indeed all over the state, the percentage of the Democratic vote showed a pronounced falling off from 1844. The country voted for President on 7 November, and Georgia went for Taylor, 47,527 votes to 44,790 votes for Cass.

As it turned out, Georgia's ten electoral votes were not necessary to elect Old Zack. Taylor defeated Cass in the Electoral College, 163 votes to 127 votes. Once again, as in 1844, New York state had been pivotal. The split in the Democratic party in that state had allowed Taylor an easy triumph. Van Euren's Free Soilers siphoned off about thirty percent of the normal Democratic strength.

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<sup>27</sup>AHS to John J. Crittenden, 26 September 1848; Robert Toombs to id., 26 September, 15 October 1848, Crittenden Papers, LC; Alfred Iverson to Howell Cobb, 17 October 1848; George S. Houston to id., 23 October 1848, TSC Corr., 130, 131; Milledgeville Southern Recorder, 10 October 1848.

One curious and notable feature of the result was that in every slave state, with the exception of Maryland, the Democrats failed to retain the percentage of the popular vote they had won in 1844. No other statistic points up quite so graphically the appeal of Taylor, the southern slaveholder, in his native section.<sup>28</sup>

In the South the Democrats, if any objective standards can be applied to the campaign rhetoric, had made the more "reasoned" appeal to the voters. This statement is made advisedly, since neither party had been too concerned to enlighten the voters by a candid examination of the issues. But the Whigs, already past masters at the art of avoiding election issues in favor of inanities or irrelevancies, had truly outdone themselves this time. In the South Taylor had been supported on the basis of his geographical origins alone--this, and the fact that fate had destined him, as a general, to fight battles against one of the most inept armies in history. Not once had the South received from him a clear definition of his principles. What principles Taylor had--if he had any at all--were as unknown in November as they had been before Crittenden had sat down back in April to manufacture some for him in the Allison letter.

Moreover, in Georgia the election left a legacy of lingering bitterness in the ranks of the Whigs. Stephens and Toombs, sharp young leaders, who had recognized early Taylor's potential--as a vote-getter, if not as a leader--exhibited little respect for the Berrien/Clay

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<sup>28</sup> AHS to LS, 22 October 1848, Stephens Papers, MC. Comprehensive charts on the returns for this election are found in Rayback, Free Soil, 282, 284-86.

wing of the party. As much as anyone in the party, Stephens and Toombs had been responsible for directing the Taylor juggernaut in Georgia, which, with all its roaring, gaseous bombast, had quite drowned out the bleats of dissenters in the ranks. Nor were the victorious Taylor men ready to be reconciled with Clay supporters.

An elated Stephens returned to Washington in December, and pleaded with Crittenden to join him "to fill the cup of our rejoicing." The cup of his own rejoicing must have been heavily spiked. Had he viewed events with a more critical eye, he might have been suspicious of the men he saw "very busy making a cabinet for" Taylor. But he dismissed these interlopers out of hand. "They are not the men who started or had any sympathy with the Taylor movement or who even now understand it. The real Taylor men are all right," he continued. "They are all disinterested. They look upon the late most glorious achievement as a public deliverance . . . not a party victory. . . . They look to greater and higher objects. . . . All they desire is for General Taylor to keep all managers and cliques at a distance." Stephens, carried away with euphoria, actually believed that Taylor's election would open a new era in United States history. And the only cloud he could detect on this glimmering horizon was the possible election of Henry Clay to the Senate. In fact, he said, this would present the greatest possible danger to the Administration."<sup>29</sup>

Why? It seems fairly obvious that Stephens feared Henry Clay.

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<sup>29</sup>AHS to John J. Crittenden, 5 December 1848, Crittenden Papers, DU.

Had Toombs succeeded in convincing him that Clay had sold himself "body and soul" to northern Whiggery? Without saying so directly, Stephens expected to wield some influence in the Taylor administration. This was his first taste of victory as a committed Whig--Harrison, it will be recalled, he considered only a "choice of evils." No doubt he considered his contribution to Taylor's victory as anything but inconsequential, and moreover, he expected that his close association with Crittenden, who was expected to be a power in the incoming administration, would pay handsome political dividends too. The presence of Henry Clay in Washington--the man whom Taylor had bested in the convention with the overwhelming support of the southern Whigs, the man whom Crittenden had spurned to support Taylor, the man whom thousands of northern Whigs still revered with fanatical devotion--Stephens could not contemplate with but grimmest foreboding.

All this was only a fleeting thought, however. For once he did not dwell on portents of future disasters. He was too caught up in the contemplation of victory. "The tone and temper here," he contentedly concluded to Crittenden, "are all right."<sup>30</sup>

It was a good thing Stephens was not clairvoyant. Such ebullient moods were too rare with him to be spoiled by a glimpse of the future--even if that glimpse only encompassed the next month.

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<sup>30</sup>Ibid.

## CHAPTER VII

### OUT OF PARTY AND INTO THE MAELSTROM

The southern Whigs had elected "their" president--but what was to be the outcome of the sectional impasse over territorial organization no one, least of all the Taylorites, seemed to know. To some embittered Democrats it appeared that the Whigs were preparing to support Taylor no matter what he did about the proviso. According to John Forsyth of Columbus, "The Whigs in our streets are even now preparing excuses for Gen. Taylor" in the event he should not veto the proviso. "The party will uphold him in it." Forsyth's opinion could have only been confirmed when Toombs spoke in Columbus and urged calmness and moderation on the proviso issue. The South, said Toombs, had little practical interest in the Southwest anyway.

Stephens no doubt agreed with Toombs. On the surface he displayed an arrogant cockiness. Shortly after his arrival in Washington at a dinner with members of Congress and the Supreme Court, he was loudly abusive of the voters of Joshua Giddings' Ohio district for reelecting their abolitionist representative and opposing Taylor. But privately Stephens was expressing his doubts about whether Taylor would be reliable on the proviso question. "Now upon the slave question what can be done?" he wondered to Crittenden. "Will Genl. Taylor

veto the proviso? Can we get the North to let the question rest until the time comes for the territories to be formed into states and be admitted . . . according to their own notions?"<sup>1</sup>

Stephens' last question expressed an idea that found the favor of several prominent politicians. Clayton of Delaware, for example, suggested that if the people of New Mexico and California were urged to form state constitutions, those areas could be admitted as states at the next session of Congress and thus "relieve us from the trouble forever." Crittenden, whom Clayton sounded out on the plan, approved. It would be the best means, he thought, of keeping "our tropical friends of the South . . . cool and comfortable." Democrat Stephen A. Douglas had similar ideas. On 11 December he introduced a bill organizing the entire Mexican cession into one state, a plan that attracted the immediate support of Georgia Whigs.<sup>2</sup> But Douglas' plan, and a similar one introduced into the House by William Ballard Preston in February, was doomed to fail. The election campaign of 1848 had succeeded in so exacerbating the nation's sectional animosities that when Congress opened in December 1848, the freesoilers were more than ready to throw down a gauntlet.

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<sup>1</sup>John Forsyth to Howell Cobb, 10 November 1848, TSC Corr., 136; Shryock, Georgia and the Union, 179; Joshua Giddings to his daughter, 7 December 1848, Giddings-Julian Papers, LC; AHS to John J. Crittenden, 8 December 1848, Crittenden Papers, LC.

<sup>2</sup>John M. Clayton to John J. Crittenden, 13 December 1848, Crittenden to Clayton, 19 December 1848, Clayton Papers, LC; for expressions of support for Douglas' bill, see Milledgeville Southern Recorder and Augusta Chronicle and Sentinel, 19 December 1848.

The slavery issue exploded immediately. On 13 December the House approved a resolution introduced by Joseph Root, an Ohio Whig, instructing the Committee on the Territories to report a bill providing territorial governments for New Mexico and California that excluded slavery. A Massachusetts Whig was denied permission to introduce a bill abolishing slavery in the nation's capital. The existence of slavery in Washington had long been abhorrent to antislavery men. Since the jurisdiction of Congress over the capital was unquestionable, reasoned these men, surely the District of Columbia offered the fairest prospect of striking at slavery. On 18 December a bill introduced by Giddings providing for a referendum on slavery's continuance in Washington was tabled. Three days later Representative Daniel Gott, a New York Whig, offered a resolution condemning the slave trade in the capital. This resolution passed by a vote of 98-88.<sup>3</sup>

Southern reaction was immediate. With Calhoun in the lead, southerners called a caucus to meet on the next night, 22 December, in the Senate chamber. From the very instant that the meeting was proposed, southern Whigs were suspicious. Upset as they had been by the vote on Gott's resolution, they were little inclined to lend their support to a movement instigated by Calhoun and supported almost en masse by the southern Democrats. Stephens, among other Whigs, refused even to sign the call for the meeting which circulated around the House on the twenty-second. "This Southern movement," wrote Toombs, "is a bold strike to disorganize the Southern Whigs and either destroy

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<sup>3</sup>Cong. Globe, 30th Cong., 2d sess., 39, 38, 55-56, 83-84.

Taylor in advance or compel him to throw himself in the hands of . . . the democracy at the South." The Whigs, however, could accomplish nothing by remaining aloof from the meeting. Therefore they attended the caucus "in order to control and crush it."

Stephens took charge of the opposition, first arguing against the necessity of action until some overt act against the South was consummated, and then proposing the formation of a fifteen-man committee to consider resolutions and report to the full caucus on 15 January. Initially Stephens himself had been proposed as chairman of the committee, but he yielded to the committee's own choice and John C. Calhoun became chairman.<sup>4</sup>

Calhoun, as head of a special subcommittee, then prepared a paper which became famous as the "Southern Address." This document, one of Calhoun's ablest state papers, was the old Carolinian's most determined effort to enlist the support of a united South for a southern party. Minutely and passionately tracing the course of northern aggressions on the South, from the Ordinance of 1787 to Gidding's latest outrage, the address argued that the inevitable tendency of events, particularly the northern attempt to exclude the South from the territories, was toward abolition and Negro domination of the South. The time for temporizing was over, said Calhoun; the South must resist now or she was doomed.

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<sup>4</sup>Quaife, ed., Polk Diary, IV, 249; Robert Toombs to John J. Crittenden, 3 January 1849, TSC Corr., 139; Milledgeville Federal Union, 9 January 1849.



Instead of producing the unity Calhoun hoped for, his address had exactly the opposite effect when the southern caucus met again on 15 January 1849. The Whigs, led by Stephens and Clayton, attempted without success to prevent reception of the document. When these attempts failed, Stephens and three other members of the committee resigned. The address was then referred back to the committee for modification. The final action of the southern caucus, on 22 January, was an indication of just how divided the South was--even when so vital a matter as southern rights was involved. Calhoun's original address was offered, along with a substitute, a much milder document, prepared by Berrien. In a wild session which lasted until two in the morning, Berrien's substitute was rejected and Calhoun's paper adopted. Before the final vote was taken, Stephens, Toombs, and most of the Whigs had bolted the caucus. Out of 121 southern members of Congress, only 48, almost all Democrats, signed Calhoun's Address. Forty-six Whigs and 27 Democrats refused to append their signatures. "We completely foiled Calhoun in his miserable attempt to form a Southern party," Toombs wrote.<sup>5</sup> And he was right.

Various reasons accounted for the failure of Calhoun's southern movement. For one thing, northerners in the House had voted to re-

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<sup>5</sup>Richard K. Cralle, ed., The Works of John C. Calhoun, 6 vols. (New York, 1854-55), VI, 290-313; Milledgeville Federal Union, 22 January 1849; Robert Toombs to John J. Crittenden, 22 January 1849, Crittenden Papers, LC. Among the Democrats refusing to sign the Southern Address were Georgians Cobb and Lumpkin. Only one of Georgia's ten congressional delegates signed: Hershel V. Johnson, who had been appointed to the Senate by the governor in January 1848.

consider Gott's resolution, the thing which had first set off the southerners. But this was a minor factor compared to reasons of pure partisan politics. Whigs and orthodox Democrats alike shared a pervasive distrust of Calhoun. As Cobb, an orthodox Democrat if ever one there was, put it, Calhoun had only one object in view, "the dissolution of the Democratic party whether the Union is preserved or not." But Cobb also blamed the southern Whigs for the increase in the slavery excitement. Their support of the abolitionist Fillmore, who favored the abolition of slavery in Washington, had only encouraged the antislavery fanatics, Cobb snorted. The southern Whigs, who, by their alliance with the northern party, had "brought us to the very abys [sic] of ruin" were now about to be relieved of responsibility by Calhoun. To support the Address, which made no mention of the South's true friends in the North, the Democrats, was to Cobb unthinkable.

The Whigs had partisan reasons of their own for opposing Calhoun. To thousands the Carolinian was the personification of disunion. The evils of the proviso, said the New Orleans Bee, were "a thousandfold more endurable than the woes unnumbered . . . at the prospect of disunion." And the Columbus Enquirer thought that Calhoun's address was "nothing but a dull, insipid and tasteless rehash of what has been said for twenty years," and urged resistance to the "rampant demagogues" who threatened the Union. Some of the congressional Whigs, like Senator George E. Badger of North Carolina, thought that "on anything concerning niggers" Calhoun was "absolutely deranged." Badger, for one, would not involve himself in a movement to endanger

the Union "for the privilege of carrying slaves to California or keeping up private gaols for slave dealers in this district."<sup>6</sup>

Stephens also distrusted Calhoun; but even more importantly, he discerned in the southern movement an attempt to deprive the southern Whigs of the fruits of their recent victory. He explained his reasoning to Crittenden:

I wish to let you know the true feeling . . . I hold . . . in which I believe most of the S. Whigs concur with me. We feel secure under General Taylor. We are determined to insist upon his controlling the [slavery] Question. If the Northern Whigs are so unwise as to keep up a crusade against this District we shall no longer act with them. The Territory can settle themselves. . . . a set of New York politicians--Greely [sic] &c who were for Clay . . . intend to press this slavery question upon him together with Locos North & South & freesoilers thinking and hoping to break him down. But they are fools. The sooner Taylor gets rid of that class of men the better. Botts [a Virginia representative] belongs to it, and I fear Berrien of our State also. And it will not do for<sup>7</sup> Mr. Clay to come back here if it can be prevented.

Here was the crux of the matter. Stephens and most of Taylor's southern supporters had visions of unparalleled treachery, not only at the hands of Democrats led by Calhoun, but also from the northern/Clay wing of their own party. Old Zack's southern cohorts were still convinced that the new President would be their salvation. Why should these southern Whigs, so recently victorious in a brutal campaign,

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<sup>6</sup>Howell Cobb to John B. Lamar, 16, 24 January 1849, Cobb Papers, UG; New Orleans Bee, n.d. January 1849, quoted in Cole, Whig Party in the South, 141-42; Columbus Enquirer, 6 February 1849; George E. Badger to John J. Crittenden, 13 January 1849, Crittenden Papers, LC.

<sup>7</sup>AHS to John J. Crittenden, 17 January 1849, ibid.

sacrifice their just rewards upon an altar erected by Democrats? And why should they participate in a movement which could only play into the hands of their enemies in their own party? "Let us wait patiently," counselled the Chronicle, "and see what measures President Taylor will recommend to allay all this unhappy . . . sectional contention." This was the dominant note sounded by the southern Taylorites.

Reaction to Calhoun's movement varied throughout the South. Calhoun's home fiefdom expressed herself as willing to cooperate with other southern states in resisting the proviso. Florida did likewise. Virginia's legislature also passed resolutions requiring her governor to convene the legislature upon passage of the proviso or the abolition of slavery or the slave trade in the District of Columbia. Between February and April resolutions in support of the Southern Address passed in Alabama and Missouri. Tennessee called for united southern resistance, and Mississippi called a bipartisan state convention to express the state's attitude toward the controversy.

In Georgia the shock waves of Calhoun's southern movement were felt most strongly among the Democrats. While the Democrats of north Georgia read and applauded the address that Cobb and other anti-Calhounites had issued, party editors and politicians in the middle part of the state, led by Hershel Johnson and Alfred Iverson, loudly supported Calhoun and Virginia's resistance resolutions. Comments of observers in Athens, Cobb's home, illustrate the fissures developing among Democrats. One of Cobb's many cousins reported that the people were not at all disposed to get up public meetings in support of Calhoun.

All the excitement had been got up, he said, by congressmen and editors. The people, and especially the slaveholders, the group supposedly most affected by the North's attacks, were quiet.

But one of Cobb's associates, editor Holsey of the Southern Banner, recognized the irresistible pressures the Calhoun movement was subjecting the moderate wing of the party to. "Calhoun is no favorite with me," he wrote, ". . . But extremes are destined to act together on this question. We will not follow Calhoun, but must cooperate with him in resisting the encroachment. . . . a large portion of the Southern Whigs themselves will finally come into the resistance movement" if Taylor could not be weaned from the northern Whigs. Cobb's middle ground, Holsey predicted, would ultimately become untenable.

Georgia's Whigs, despite Holsey's analysis, experienced much less division than the Democrats. The only exceptions to the general support of Stephens and Toombs were Berrien's followers, the conservatives of 1848, who had deprecated the sectional appeals of the Taylorites. These men, who naturally could expect little favor from the incoming administration, now occupied the most radical position in the party. But these Southern Rights Whigs were few in number and scattered; their main pockets of strength were in Augusta and Savannah. The great mass of the party echoed Stephens: calling for resistance only in case of some overt act and deprecating the Carolina leadership of the movement. As far as most Georgia Whigs were concerned, the southern movement had as its goal not a compromise

with the North, but the secession of the South.<sup>8</sup>

While editors and courthouse politicians at home furiously debated the pros and cons of Calhoun's movement, southern Whigs in Washington made a final attempt to defuse the territorial issue before Taylor's inauguration. The plan was Preston's; in all essentials the bill he introduced in the House on 7 February was identical to Douglas' Senate measure. It proposed to organize the entire Mexican cession into one state, to be admitted into the Union on 1 October 1849. The bill made no mention of slavery. The Whigs knew perfectly well that the proposed new state would not permit slavery. "It cannot be slave country," said Toombs, "we have only the point of honor to save."<sup>9</sup>

One is tempted to speculate what course the country's history might have taken had this Preston bill been successful. Historians have usually given it only passing notice, and no real analysis of the bill's failure has yet been made.<sup>10</sup> One thing is certain. The bill attracted a large measure of bipartisan southern support. Toombs claimed

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<sup>8</sup>Augusta Chronicle and Sentinel, 11, 16 January 1849; Shryock, Georgia and the Union, 185-94; William Hope Hull to Howell Cobb, 26 January 1849; Hopkins Holsey to id., 24 February 1849, TSC Corr., 142, 154-55.

<sup>9</sup>Cong. Globe, 30th Cong., 2d sess., 477; Robert Toombs to John J. Crittenden, 22 January 1849, TSC Corr., 140-42.

<sup>10</sup>Hamilton, Soldier in the White House, 143. The fullest treatment of the Preston bill is in Cooper, "Politics of Slavery," 314-16. Cole, Whig Party in the South, 143-44; Potter, Impending Crisis, 92n.; and Rabun, "Stephens," 235, mention the bill. Neither Nevins, Ordeal, I, nor Avery Craven, The Coming of the Civil War, 2d ed. (Chicago, 1957), take note of it.

that southern Whigs were "unanimous" for it. Two days after its presentation, he predicted that the measure would "easily" carry in the House. Well-informed observers in Washington also thought the bill would pass. Douglas dropped his own bill and lent his support to Preston's. It was estimated by the Washington correspondent of the Richmond Whig that thirty-seven signers of the Southern Address supported the measure also.

Preston's bill died aborning. On 27 February a New York Barnburner attached an amendment prohibiting slavery in the new state, which carried by a vote of only 91 to 88. When the bill came up for final passage it received not a single yeay. Why had this promising measure failed? The evidence is sketchy, but it indicates that both northern and southern extremists were determined to kill it. Anti-slavery men of New England and New York wanted to postpone settlement of the slavery question until Taylor was President. Then, in return for their support of the measure, they would be in a position to extract concessions from the new administration: hence, the proviso amendment.

But even if the measure had passed the House, it faced the unremitting hostility of John C. Calhoun in the Senate. Settlement of the slavery question on any reasonable terms--"reasonable," that is, as defined by the majority of the South, i.e., something they could live with--obviously threatened his movement for militant southern solidarity. Whether Calhoun (and, incidently, Berrien, who also opposed the bill) would have succeeded in scuttling the bill is a

pointless question. The principal significance of the failure of Preston's bill is as an illustration of the desperate measures to which extreme men were willing to resort to attain their own ends. No less significant is the fact that moderates of both parties and sections had failed again to effect a promising compromise of the disastrous slavery question. Once the proviso was attached to the bill, northerners and southerners alike, whatever feelings about the efficacy of the measure as a lasting compromise, were forced willy-nilly into the long-familiar sectional alignments. Cobb might fervently wish that the "Heavenly Father" would call "the old reprobate" Calhoun "home."<sup>11</sup> But if a celestial homecoming was the solution for the nation's problems in February 1849, God would have had to prepare a fair-sized welcome. Calhoun was far from being the only implacable sectionalists in the national councils.

Before Preston's bill was proposed, Alexander Stephens was once again engaging in one of his favorite crusades--making war on Polk. It is a measure of his single-mindedness and obstinate stubbornness that even after ratification of the Mexican treaty, he continued to assault the Polk administration at every available opportunity. On 24 January while the House was considering a bill to extend the revenue laws over California, Stephens announced that he was not at all anxious

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<sup>11</sup>Robert Toombs to John J. Crittenden, 22 January 1849, TSC Corr., 141-42; id. to id., 9 February 1849 [misdated 9 January in original], Crittenden Papers, LC; A FRIEND to editor of the Richmond Whig, quoted in Augusta Chronicle and Sentinel, 16 February 1849; Howell Cobb to his wife, 8 February 1849, in R. P. Brooks, ed., "Howell Cobb Papers," Georgia Historical Quarterly 5 (June, 1921): 38.



to see the establishment of territorial governments in New Mexico and California. Polk had established these governments during the war without proper or constitutional authority, he charged, and the President was to blame if these provisional governments were no good. Stephens ended by saying that he would not vote for any revenue bill confirming the conquests of the war "until the vexed question growing out of them should be settled." This was the same refrain he had been sounding for two years--settlement of the slavery question before all else. His fears for the safety of his section, his party, and the Union had not in the least abated--in fact, they had measurably increased.

With Calhoun's southern movement raging around him, Stephens probably realized that the acquisition of the territories could not ultimately be accomplished without a fatal agitation of the slavery question. At least that was how the matter appeared in early 1849. Therefore, even at this late date, months after the ratification of the treaty which ceded the great Southwest to the United States, he attempted to block the acquisition of the territory. And in this attempt, it can be fairly stated that Stephens exhausted ingenuity.

After some sleuthing Stephens turned up a routine protocol which had been signed by American and Mexican commissioners in which explanations were offered Mexico for Senate substitutions for various articles of the original treaty. On 3 February, therefore, Stephens introduced resolutions calling upon Polk to submit a correct copy of the treaty, to indicate by what authority the American commissioners

had made their explanations, and to state whether the protocol had been submitted to the Senate for its approval. Stephens professed to see in this protocol yet another flagrant usurpation of power by the President. The chief executive had neither right nor authority to explain what the Senate meant in changing an article of the treaty. It made no difference whatsoever whether the change was of substance or form. He considered Polk's action in withholding this protocol "a downright insult to the Senate," and his proclaiming the treaty to be the supreme law of the land while hiding his instructions from Congress "a nefarious transaction." Furthermore, the treaty was not binding, said Stephens, because it obligated the House to appropriate money to carry out its provisions.<sup>12</sup>

These remarks were only a prelude to the full scale attack on the President and the treaty which Stephens delivered on 17 February. Stephens had already informed Secretary of State James Buchanan that he would not vote a single dollar to carry out the treaty provisions; when the appropriation bill to do so reached the House floor, he was on his feet to explain why. The gist of Stephens' argument was that the House had the constitutional right to withhold appropriations for effecting a treaty if it considered the treaty unwise or improper. To allow the Senate and the President to bind the House to appropriating

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<sup>12</sup>Cong. Globe, 30th Cong., 2d sess., 348-49, 438, 448-50. Privately Stephens was even more vehement. He considered Polk's "suppression" of the protocol to be "worse than censurable, it was infamous and criminal. It was in my opinion an impeachable offense." AHS to Charles Lanman, 24 June 1849, Charles Lanman Papers, LC.

sums of money was an encroachment upon the constitutional rights of the House. After detailing, as he had done many times before, the long list of President Polk's encroachments of power, Stephens then proceeded to enumerate his reasons for opposing the bill. Every man in the spell-bound House had heard these reasons before, but Stephens, with rising excitement, ran through them all again: the appropriation merely continued the principles and policies of aggressive war. Even worse, if the House sanctioned the treaty it would be sanctioning every aggression the President had perpetrated on the Constitution. Once again he pleaded for the House to recognize the monstrous dangers to the peace and tranquility of the Union that the new territories presented. Solemnly Stephens warned northern men in the House against the danger of assuming that the South would submit to being totally excluded from the conquered territories. Addressing the southern men, Stephens asked if they preferred to hazard a dissolution of the Union to its present benefits. Were they ready to vote the money of their constituents before their right to participate in the territories was secured?

No Stephens speech during Polk's presidency would have been complete without execration of the President. This one was no exception. He related a story about Polk that went back to 1846. At that time, said Stephens, while in an interview with Wilmot urging passage of his "Two Million" bill, Polk had declared that he did not approve the extension of slavery beyond its present limits. The President, shrilled Stephens, had commenced his administration by cheating and he would end it by cheating. His whole career had been

a cheat. He had cheated his party on 54°40' in Oregon, Pennsylvania iron interests on the tariff, the Mexicans in the treaty, and now the South in his remarks to Wilmot. "Duplicity, hypocrisy, and treachery" were his most prominent characteristics. Polk's whole administration had been nothing but "enormities of misrule" under the guidance of his "mischievous councils."

After almost four years of enduring Stephens' barbs, President Polk finally noted one of his speeches. It was the Wilmot story rather than the epithets that stung. That accusation, Polk confided to his diary, was "wickedly and basely false," the product of "a bitter & unscrupulous partisan Whig." Wilmot, however, confirmed Stephens' report of the conversation on the floor of the House.<sup>13</sup> Polk, it appears, was not above a little duplicity in the furtherance of his own ends.

James K. Polk's administration became history on 4 Marcy 1849; Zachary Taylor, sixty-five years of age, became President of the United States. There was nothing in the appearance or the manner of the new chief executive to inspire confidence. Short and heavy-set, modestly potbellied, Taylor perfectly fit the description "dumpy-looking." One observer, upon seeing Old Zack for the first time described himself as "thunderstruck," and the President as "old, outrageously ugly, uncultivated, [and] uninformed, . . . [a] sure enough mere military chieftan [sic]," who could not even "converse in decent

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<sup>13</sup>Quaife, ed., Polk Diary, IV, 300, 342, 344; Cong. Globe, 30th Cong., 2d sess., Appendix, 145-49; Augusta Chronicle and Sentinel. 22 February 1849.

language."

Taylor was a career soldier, having spent forty years at various frontier posts on the fringes of developed America. To a large extent what the Whig presses had trumpeted about him during the campaign was true: he was plain and honest and simple and straightforward. "Duty" was more than a watchword to Zachary Taylor; it was part of his nature, a wellspring of his life. But Taylor was an utter novice in politics, ignorant of public affairs and public men, equally as inept at choosing advisers as he was at inspiring others with either his sagacity or his oratory.

Taylor was an authentic hero, the type of man the United States every so often in its history feels compelled to make president. And as C. Vann Woodward has observed: "heroes have never been notorious for complex mentalities." Taylor was no exception. Thrown into a situation which required the sensitivity and acuity of a Lincoln or Franklin D. Roosevelt, Old Zack possessed a mind that was a stranger to the nuances and subtleties of democratic politics. Like Jackson, Taylor brought to the presidency a fierce, unyielding devotion to the Union; but unlike the Old Hero, Old Rough and Ready lacked Jackson's natural political instinct. In short, what the United States required in the White House in 1849 was a bonefide statesman--or, at the very least, a skillful politician. Zachary Taylor was neither, and the country was not long in finding it out.

The quality of Taylor's cabinet should have given pause to careful observers. The one man probably more responsible for electing

Taylor than any other, and a gentleman of solid political talent, Crittenden of Kentucky, declined to serve in the cabinet. Both Stephens and Toombs, aware of Taylor's lack of experience and severely shaken by the fury of the sectional discord, had for two months strenuously urged Crittenden to accept a cabinet post--to no avail. Crittenden had just been elected governor of Kentucky, and there he stayed. But the Kentuckian in conferences with the President-elect in February had exercised a decisive influence on Taylor's cabinet selection, approving, if not actually selecting, every appointee.

Georgia got one of the plums: George W. Crawford was selected as Secretary of War. Crawford was only one of several lackluster appointments. In fact, of the seven cabinet posts--the Home Department, later Interior, portfolio had just been established--none was filled by a really first-rate man. And only three could be described as men of stature: John Clayton of Delaware, Secretary of State; Thomas Ewing of Ohio, Secretary of the Home Department; and Reverdy Johnson of Maryland, Attorney General. William Meredith of Pennsylvania, who took over the Treasury Department; Ballard Preston of Virginia at the Navy Department; and Stephens' old messmate, Jacob Collamer of Vermont, Postmaster General, rounded out the cabinet. When Taylor arrived in Washington, he had consulted with Stephens about the cabinet. The Georgian approved of everyone but Clayton.<sup>14</sup>

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<sup>14</sup>George W. Julian to "Brother Issac," 25 January 1850, Giddings-Julian Papers, LC; C. Vann Woodward, Tom Watson: Agrarian Rebel (London, 1938), 63; AHS to John J. Crittenden, 5 December 1848, 17 January 1849, Crittenden Papers, DU; id. to id., 6 February 1849, TSC Corr., 146; Robert Toombs to id., 3 January 1849, Crittenden Papers, LC; Kirwan, Crittenden, 247; Stephens, Recollections, 24.

What made the composition of the cabinet so important was the undeniable fact of Taylor's inexperience in matters of state. The President would be forced, therefore, to rely to a large extent on the advice and guidance of the men around him in the official family. Unfortunately no one in the cabinet was adroit enough or strong enough to assume the role of prime adviser to the President. Almost by default, then, this role fell to a man who was the newly-elected Senator from New York, William Henry Seward.

Seward, a product of the New York Whig machine and former governor of that state, was a protege of Thurlow Weed, one of the craftiest political operators of the nineteenth century. Seward had stealthily insinuated himself into the good graces of prospective cabinet members and Taylor's brother Joseph even before Old Zack reached Washington. Almost as a matter of course, conferences with the President had followed, and by the end of March Seward was actually attending cabinet meetings. In thus ingratiating himself with the administration Seward was pursuing two objectives: first, he was attempting to wrest control of the New York patronage for the Weed machine from the hands of Vice President Fillmore, the machine's chief state antagonist; and second, he was trying to ween Taylor away from southern influence. It so happened that the second of these objectives fell in with the plans of three cabinet members: Preston, Clayton, and Meredith.

Almost from the moment of victory these men sought new objectives for the Whig party. Now that the Whigs had once again gained the presidency, reelection and self-perpetuation became an overriding

concern. To succeed in 1852, reasoned these men, the influence of the deep South in the Whig party would have to be curtailed, and the northern freesoil elements mollified. Obviously this policy required the cultivation of powerful northern men like Seward and Weed. The plan was to carry out the policy of realigning the Whig party with as little offense to the southern wing as possible; but, in any case, the North would have to be given the substance of the proviso in the territories.

To accomplish this purpose, the Mexican cession would be divided into states and admitted to the Union as swiftly as possible. This plan had occurred to Clayton the previous December, and had received the full endorsement of Crittenden. President Taylor was now convinced to make the plan the cornerstone of his territorial policy. It made no difference whatever to Taylor how California and New Mexico came into the Union--either at the invitation of Congress to form a state constitution and apply for admission (as in the Preston and Douglas bills), or at the behest of the people themselves. Whichever the method, the President was determined that the policy be carried out quickly. Accordingly, in April, he dispatched his own personal representative, Thomas B. King of Georgia, to California to urge the people there to form their state constitution and apply for admission to the Union. The King mission had been Clayton's idea, and it was during the discussions of the plan that Seward was brought into the cabinet meetings. There a bargain was struck between Clayton, Preston, Meredith, and the New Yorker in which Seward got the New York patronage in return for his support of the California statehood scheme. Clayton was ecstatic.



"As to California & New Mexico," he told Crittenden, "I have been wide awake. Everything is done as you would wish it. The plan I proposed to you last winter will be carried out fully. The States will be admitted--free and Whig!"<sup>15</sup>

While Clayton gleefully contemplated Whig triumphs from Washington, his Georgia Whig compatriots were experiencing severe difficulties. In the first place, the administration was exhibiting an alarming reluctance to displace Democratic officeholders. One Georgian reported that the discontent over the handling of the patronage was general from Virginia down to Georgia. And correspondents to the newspapers were also complaining about the President's ineptness with the patronage. But this problem--a serious one for a new administration attempting to establish itself--was almost inconsequential compared to the anger being generated on the slavery question. Upon their return from Washington both Stephens and Toombs had been surprised by the intensity of feeling they discovered in Georgia. What made the mood so dangerous, said Toombs, was not excitement, but "a settled resolute [sic] determination in all classes not to submit to [the proviso]."

All over the South political moderates were being outshouted and outvoted by the forces of Calhounism. Howell Cobb received anguished missives from Democrats in Missouri and Alabama who attempted to stem

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<sup>15</sup>Robert J. Rayback, Millard Fillmore: Biography of a President (Buffalo, NY, 1959), 194, 199-201; Glyndon G. Van Deusen, William Henry Seward (New York, 1967), 114; Dyer, Taylor, 370-71; John J. Crittenden to John M. Clayton, 7 January 1849, Clayton Papers, LC; Clayton to Crittenden, 13 December 1848, 18 April 1849, Crittenden Papers, LC.

the tide. But it was the Whigs who were paying the heaviest price. Rumors that Taylor had fallen under the influence of the antislavery wing of the party were afloat in the South all summer. And in August Taylor seemed to confirm the worst fears of his southern adherents. During a tour of Pennsylvania and New York, the President was reported as saying that he "regarded slavery as a great moral and political evil" and that Congress had the right to prevent its extension into the territories. Democratic papers, with howls of indignation, gave the report the widest possible circulation.<sup>16</sup>

But even before Taylor made these remarks, the Whigs had sustained heavy losses in the congressional elections. In Virginia the party elected only one Whig congressman out of fifteen districts--and that one a Southern Rights Whig; in Tennessee the Whigs lost a House seat and also the governorship; in Mississippi the only Whig congressman was defeated and a fire-eating Democrat was elected governor by the astounding margin of 10,000 votes. The Whigs managed to hold onto the few seats they had in North Carolina, Alabama, and Kentucky; but the party's slim majority in Congress was erased.

Georgia elected its governor in 1849, and for the first time in eight years the Democrats captured both the legislature and the

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<sup>16</sup>James E. Harvey to John M. Clayton, 5 May 1849, Clayton Papers, LC; "Georgia" to editors of the Southern Recorder, Milledgeville Southern Recorder, 3 July 1849; "A Southern Man" to id., 10 July 1849, ibid.; AHS to William F. Preston, 21 March 1849, Stephens Papers, EU; Robert Toombs to id., 16 March, 18 May 1849, Miscellaneous Collections, Autograph Letters, EU; George S. Houston to Howell Cobb, 26 June 1849; James B. Bowlin to id., 6 June 1849, TSC Corr., 166, 159; Augusta Constitutionalist, 25 September 1849.

governorship. The campaign had been completely dominated by the Wilmot Proviso issue. The Whig convention met in late June, and with little disagreement or difficulty passed resolutions condemning the proviso as a violation of all constitutional compromises and endorsing the administration. As their candidate for governor, the Whigs nominated Edward Y. Hill of Jasper county, a respected member of the bar. When the Democrats met in early July, Cobb's following was strong enough to put down an attempt to adopt the Southern Address. Instead the Democrats endorsed Virginia's resistance resolutions; the incumbent governor, George W. Towns, received the party's nomination.

Towns won the election because his forthright stand in defense of southern rights contrasted sharply with Hill's silence on the issue. In response to a series of questions in the press, Towns, in a public letter, declared that the proviso was unconstitutional, and that he had approved of the Clayton compromise. He went on to advocate, in inflaming language, that the South resist "to the last extremity" any passage of the proviso. Hill, on the other hand, refused to answer the questions, calling down upon himself and his party more than the usual torrent of abuse.

Hill's silence was indicative of a serious fissure in the ranks of the Whigs. Most of the party doubtless would have agreed with Berrien that the proviso was unconstitutional, but it was not at all clear that the Whigs were united in this belief. The Chronicle's continued defense of Stephens' reasoning on the Clayton bill of 1848 proved the existence of a sizeable group of constitutional conservatives

in the party. The Demccrats naturally made the most of Whig divisions. Continually charging that Whig evasiveness on the proviso cloaked not only a belief in the constitutionality of the proviso, but also a disposition to submit to its passage, the Democratic press was joined in its strident chorus by organs of the Southern Rights Whigs like the Augusta Republic. Indeed, Berrien's supporters blamed Stephens, Toombs, and Crawford for the Whig party's troubles. "There must be an end to the unhealthy and selfish domination of these gentlemen," Iverson Harris told Berrien:

--the time has not yet arrived [he continued]. . . . Had you & Bartow [Francis Bartow, a Savannah lawyer and a Berrien man] & myself been in the last Whig convention, we might have put the Whig party right on the Slavery question--and that would necessarily have put Stephens and Toombs in their right position too [sic] the people of the South. . . . The antagonism of yr respective positions on the Slavery question . . . is doubtless a reason for their anxiety to destroy yr political power, for they are perhaps sensible, that if they do not destroy you you will destroy them.<sup>17</sup>

Certainly Stephens and Toombs and the Whigs they represented shared little of the confrontation mentality common to Berrien and his followers, but the two men were not betraying any particular anxiety over Berrien's political power. Neither of them took an active part in the campaign. In fact, Stephens did not even attend the June convention; he spent the summer attending to his legal busi-

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<sup>17</sup>Shryock, Georgia and the Union, 197-204; Milledgeville Federal Union, 25 September 1849. For samples of the Democratic drum-fire on the Whigs, see Augusta Constitutionalist, 20, 25, 27 July, 19 August 1849. This paper continually heaped abuse on Stephens' record, charging that he believed the proviso to be constitutional. See, for example, 1 May, 27 July, 9 August 1849. Iverson L. Harris to John M. Berrien, 17 August 1849, Berrien Papers, SHC/NC.

ness, visiting his brother John L. in LaGrange, and recovering from an attack of diarrhea at Warm Springs, a fashionable Georgia watering hole. It is not at all clear why Stephens and Toombs remained aloof from the campaign. Near the end of the canvass Toombs hinted that he and Stephens did not approve of the Whig party's stand on the slavery question, and that Hill would probably be defeated. He went on to say that if Hill would come out "boldly and take the position that he & Stephens had on the slavery question--they would take the stump for him--& then he could carry Georgia easily." <sup>18</sup>

What did this statement mean? What was the Stephens-Toombs position on the slavery question? Had they already decided upon resistance? It is tempting, especially in view of their actions during the Thirty-First Congress to suppose that the two men had already made up their minds before their return to Washington in December to break with the administration, <sup>19</sup> but such a view would be mistaken. In the first place, their silence during the gubernatorial race is indicative more of a wait-and-see attitude than of one of outright hostility to Taylor. And secondly, although the two men were certainly aware of the alarming and ominous reports on Taylor and his attitude on the proviso, it would have been not only impolitic but stupid of them to set their minds against the administration without firsthand

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<sup>18</sup>AHS to LS, 29 July 1849, Stephens Papers, MC; Rabun, "Stephens," 246; Iverson L. Harris to John Berrien, 6 October 1849, Berrien Papers, SHC/NC.

<sup>19</sup>This is what Holman Hamilton (without evidence) claims. Hamilton, Soldier in the White House, 230.

proof of its unreliability. Neither Stephens nor Toombs could believe at this point that Taylor--a man whom they regarded as "sound" on slavery and whom they, as much as any other men, had been responsible for installing in the White House--could or would betray them. Moreover, both the Democratic press and the Berrien Whigs were loud in their denunciation of Stephens and Toombs. If the party adopted their position on slavery, wrote one Southern Rights Whig, "the Whig party as such would have ceased to exist--or been doomed to a hopeless minority for years."<sup>20</sup> This is the best evidence of all that until December at least, the two congressmen were occupying a very conservative position on the slavery issue.

But the rest of the South certainly was not. Calhoun's Southern Movement had been gaining momentum all summer, and it reached its climax in October when a bipartisan convention in Mississippi, with the active complicity of Calhoun, called for a convention of all the slave states to meet in Nashville in early June of 1850. Georgia's Governor Towns, interpreting his election as a mandate for resistance, recommended and received Assembly resolutions authorizing an election of delegates to the Nashville convention and the calling of a state convention in the event California was admitted as a free state or the Wilmot proviso passed Congress. Both parties in the Assembly (the Democrats had a small majority in both houses) split on the question; about half of the House Whigs and one-third of the Senate Whigs swung over to the Southern

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<sup>20</sup>Iverson L. Harris to John M. Berrien, 6 October 1849, Berrien Papers, SHC/NC.

Rights position. The only serious disagreement was whether California's admission would constitute sufficient provocation. Linton Stephens, who had been elected to the House for Hancock county and who almost perfectly throughout his life mirrored the political opinions of his brother, registered the lone "nay" vote on the ninth of Georgia's fiery resolutions--one that held out the possibility of secession. He was also one of a dozen Whigs voting against the convention bill. Charles Jenkins, a longtime Berrien supporter, but now beginning to move into the Stephens camp, was "embarrassed" by the legislature's action. He did not believe extreme action was required even if the proviso were applied to the new territories "unless indeed upon the ground of a violation of the Constitution." To avoid a constitutional confrontation Jenkins was willing to accept a free California and even another free state created out of the Mexican cession. This was the opinion, he said, of many who had "mingled . . . with the people." The people, he continued, "will under no circumstance . . . resort to extreme resistance" on the question of territorial slavery. Unfortunately, though, said Jenkins, "some action seems inevitable . . . a contest has been commenced [on] who can . . . thunder most loudly."<sup>21</sup>

The Congress to which Alexander Stephens returned in December 1849 met at one of the most critical times in American history. In faraway California a convention had met in September, drawn up a state

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<sup>21</sup>Avery Craven, The Growth of Southern Nationalism, 1848-1861 (Baton Rouge, 1953), 85; on the governor's message and the action of the legislature, see Shryock, Georgia and the Union, 217-34; Charles J. Jenkins to John M. Berrien, n.d. [December] 1849, Berrien Papers, SHC/NC.

constitution excluding slavery, elected officials, and set a government into operation. As Congress convened a petition for statehood was on its way to Washington. The California statehood issue was already explosive, and the petition arrived in the capital amidst the worst sectional crisis yet to beset the nation. For in December 1849 practically every problem connected with slavery, problems that had gone unresolved for months or even years, had risen to the surface: the fate of slavery and the slave trade in Washington, the organization of the territories (which included the related problem of fixing the boundary of Texas and adjusting her debt), and the enforcement of the fugitive slave law. The acrimonious interval between sessions had only served to heat sectional passions to the boiling point, and the problems appeared as insoluble as ever.

It did not take Stephens and Toombs long to discover the truth of the worst reports they had been hearing about Taylor. As Toombs saw it, the entire cabinet, with the exception of Crawford, had thrown its patronage into the lap of Seward as part of Preston's scheme to cement the North to Taylor in 1852. By this means Seward, an anti-slavery fanatic, was forcing the northern Whigs to hew to his line on slavery. Worse, after an interview with Taylor, Toombs became convinced that Old Zack, far from being a bastion of security for the South, would sign the proviso if it passed. The shock and rage this information must have generated in the southerners can only be imagined. Toombs resolved, then and there, to oppose the proviso "even to . . . a dissolution of the union," and he and Stephens immediately set out



to make it a test question for the party.

The Whig caucus met on Saturday evening, 1 December, to select its candidate for Speaker of the House. Toombs at once offered a resolution declaring that Congress ought not pass any law against slavery in the territories or abolishing slavery or the slave trade in Washington. In the excited discussion which followed, Stephens pleaded earnestly for passage of the resolution. Why should the northern and western Whigs mortify the South by pressing the proviso now that California would shortly be applying for statehood? Slavery in the District, he said, was a matter of utmost principle to the South. If the North with its numerical majority persisted in shoving abolition down the throat of the South, the Union would be dissolved. The Union's best friends in the South would be powerless to stop it. At the conclusion of Stephens' remarks the caucus voted to postpone the resolution; six southern Whigs, with Toombs and Stephens at their head, walked out--out of the room and out of the party.

True, Stephens and Toombs would not yet drop the label of "Whig," but their fealty to the national organization was over. Indeed, for the next few months the two Georgians would act and sound like rabid radicals, for all the world like members of the Southern Rights movement both professed to despise. Undoubtedly their feeling of having been personally betrayed fueled their anger. "The North is insolent and unyielding," Stephens indignantly told Linton, relating the story of the caucus. "My Southern blood . . . is up and . . .

I am prepared to fight at all hazzards [sic] and to the last extremity in vindication of our honor and our rights."<sup>22</sup>

The six southern Whig bolters now set out to thwart the organization of the House, and they would succeed. The task of electing a Speaker would take three weeks and sixty-three ballots. The rules required that the Speaker receive a majority of the votes. The parties were closely divided: 108 Democrats, 103 Whigs, and nine or ten Freesoilers. Thus, the southern bloc and the Freesoilers, who also voted as a unit, by refusing to support a caucus candidate were in a position to postpone the transaction of business almost indefinitely. (Robert C. Winthrop of Massachusetts, the previous speaker, was the Whig candidate for speaker; Howell Cobb was the Democratic candidate.)

Stephens' conversations with northern Whigs had convinced him beyond all shadow of doubt that they were "determined to yield nothing. They intend to carry abolition anywhere by the Constitution they can." On the next night, 4 December, Stephens was angrier than ever:

If the South intends really to resist abolition in this District . . . it is time they were making the necessary preparation of men and money arms and munitions &c. . . . It is no time for humbug resolutions. . . . in my opinion a maintenance of our honor to say nothing of a vindication of our rights require us to resist the aggression. . . . It is becoming bootless now to quarrel with ourselves about who contributed most to the present state of things. I believe the agitation at the South for several years past have [sic] done more

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<sup>22</sup>Holman Hamilton, Prologue to Conflict: The Crisis and Compromise of 1850 (New York, 1966), 15-23; Robert Toombs to John J. Crittenden, 23 April 1850, in Coleman, Life of Crittenden, I, 364-66; Washington National Intelligencer, 6 December 1849; AHS to LS, 2 December 1849, Stephens Papers, MC.

to affect it than all others united. But as Southern men we must look things in the face as we find them. Our fortunes are united and our destiny must be common. It is also bootless to count the chances of success in a struggle with the Federal Governmt. No people who are not fit for the lowest degradation count the cost a hazzard [sic] of defending their honor or their rights. . . . I would rather today to see the whole southern race buried in honorable graves than to see them insolently triumphed over by such canting whining ruling hypocrites as are now setting themselves up as their judges.

The day after Stephens wrote these resolute lines, he had a long talk with the President. Whatever Old Zack told Stephens, the Georgian was pleased, coming away convinced that the position he and the other Whig bolters had assumed "will be conformable to the position of the [forthcoming presidential] message." The prevailing mood among southerners, however, was grim. Talk of secession was general, and formerly cool men were beginning to seriously consider the prospect.<sup>23</sup>

As day after monotonous day passed with no results in the Speaker's contest and no agreement reached upon a way to break the impasse, the tempers of the wrangling congressmen frayed to the breaking point. A general shouting match on 12 December was followed the next day by one of the worst scenes of bedlam ever witnessed on the House floor. Representatives Duer of New York and Meade of Virginia had to be physically restrained from coming to blows. For a long interval chaos reuled the floor.

The first men to speak after a semblance of order had been restored was Robert Toombs. Eyes flashing, dark hair bristling,

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<sup>23</sup>AHS to LS, 3, 4, 5, December 1849, ibid.

Toombs thundered a defiant note into the debate. The scenes just witnessed, he said grimly, might have been "disgraceful," but he did not regret them. They had made it clear that the South's interests were in danger, and without obtaining security for the future he would not allow a Speaker to be chosen. One of the "securities for the future" he demanded was better enforcement of the fugitive slave law, which northerners admitted, yea, even boasted of, circumventing. And yet the North wondered why the South looked "upon your eulogies of . . . Union . . . as nothing better than mercenary hypocritical cant." For years, cried Toombs, he had attempted to stem sectional agitation at the cost of scorn from his enemies and misunderstanding from his friends. Even now all he demanded was a guarantee that the organization of the House would not endanger the rights of his constituents. Refuse this security, "and as far as I am concerned, 'let discord reign forever.'" In a roaring climax to his address Toombs heatedly declared that he had as much love for the Union under the Constitution "as any freeman ought to have." But if the North insisted on legislating the South out of the new territories or abolishing slavery in the District, "thereby attempting to fix a national degradation upon half the States of this Confederacy, I am for disunion."

Edward T. Baker of Illinois answered this flaming address with hot words of his own. Dissolution of the Union, he said, "as long as an American heart beats in an American bosom" was and would continue to be "impossible."<sup>24</sup>

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<sup>24</sup>Cong. Globe, 31st Cong., 1st sess., 28-29.

Stephens was on his feet now, shaking with emotion. His shrill, piping voice cut like a knife through the hall. The little Georgian was furious as he replied to Baker:

I tell that gentleman and I tell this House . . . that the day in which aggression is consummated [sic] upon any section of the country, much and deeply as I regret it, this Union is dissolved. . . . We do not intend to submit to aggressions on our rights; and I tell this House that every word uttered by my colleague meets my hearty response . . . before that God who rules the universe, I would rather that the southern country should perish . . . than submit for one instant to degradation.<sup>25</sup>

The country heard the impassioned words of these well-known Georgia conservatives with amazement. Although northern Whigs professed to hear only loudmouthed bluffing, the Southern Rights papers were delighted. Toombs and Stephens "have now their eyes wide open," exulted the Federal Union, ". . . better late than never . . . all Southerners will be proud of you, and may forgive past offenses. . . . Keep it up, gentlemen."

While Stephens was thus inspiring the radicals at home, privately he was pleading with Crittenden to come to Washington. The state of affairs in the capital was alarming beyond all measure, but most ominous of all to Stephens was the refusal of northern men to take the South seriously. "The excitement of the South upon the slave question is much greater (I know it) than those . . . at the head of affairs here have any idea of."

Certainly Stephens and his friend Toombs were not doing anything to quiet the South. Up until the final ballot for Speaker

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<sup>25</sup>Ibid., 29.

both persisted in their obstinate refusal to support Cobb or Winthrop. With the adoption of the plurality rule (over the vehement objections of Toombs) for the sixty-third ballot, the House finally succeeded in electing Cobb.

With the House organized for business, Taylor's first annual message could at last be received. If it was pedestrian and ponderous in tone, at least it was clear in its major points. He had been informed, Taylor told the country, that the political conditions in California had impelled the people there to form a state constitution. California would shortly be seeking admission to the Union, the message continued, and her application should be approved by Congress. He intimated that New Mexico's expected application for statehood should also be approved. On the proviso question Taylor was silent, reiterating his previously stated view that the executive veto should be resorted to only "in extraordinary cases . . . or to prevent hasty or unconstitutional legislation."

On 21 January, in response to Senate inquiries on the King mission to California, Taylor delivered a second message to Congress which sharpened and expanded the policy he had laid out in the first. Once again he urged that California be admitted upon her application, and this time he recommended that Congress follow the same course with New Mexico. It would be inexpedient for Congress to establish a territorial government there, he said. This would only produce another sectional outburst over the Texas boundary. It would be best to wait for settlement of this question, said Taylor, until New Mexico became

a state when this question could be settled by the courts.<sup>26</sup>

In short, President Taylor's policy consisted of two points--the admission of California and the admission of New Mexico as states upon their application to Congress. In the meantime, Congress was to do nothing. Had the territorial aspects of the sectional crisis been the only ones to be considered in January 1850, Taylor's plan might have had more to recommend it. His scheme, after all, was but a variation on the theme Whigs had played the previous winter. But from any other view of the case, the President's policy was hopelessly inadequate. The sectional crisis--and the crisis was genuine--now involved other problems that were in no way peripheral: slavery in the District, the fugitive slave question, and the Texas boundary. Taylor's plan, which had been presented with the earnest plea that "we should abstain from the introduction of those exciting topics of a sectional character," was singularly blind to the fact that, for almost a solid year the country had been embroiled in a rancorous feud over "those exciting topics." Simply wishing them into limbo was at best naive, and at worst, negligent. Moreover, in espousing his wait-for-statehood-applications formula, Taylor had precluded anything but statehood for the regions of the Southwest--no other formula like popular sovereignty or an extension of the 36°30' line would be acceptable. In short, Taylor's plan did two things: 1) it failed to provide remedies for

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<sup>26</sup>Shryock, Georgia and the Union, 242; Augusta Constitutionalist, 18 December 1849; AHS to John J. Crittenden, 17 December 1849, Crittenden Papers, DU; Richardson, Messages and Papers of the Presidents, V, 9-24, 27-30.

all of the problems besetting the nation, and even more significantly, 2) it denied to the South even a symbolic, de jure participation in the southwestern territories since it was obvious that both new states would form freesoil constitutions.

As usual, the South was divided in its reaction to the Taylor proposals. The President's plan was, of course, entirely unacceptable to Southern Rights extremists, Democrat or Whig. Admission of a free California, upsetting the 15-15 slave state-free state balance in the Senate, was simply "a trick--a device . . . to give the Wilmot Provisoists, in another form, all they ask," said the Constitutionalist. Moderate Democrats like Speaker Cobb, however, strongly opposed southern resistance on the California issue--it would be, he said, "against the doctrines of all southern statesmen." The great body of southern Whigs present an interesting case. For the most part men of property and innate conservative instincts, they knew that slavery would never go west and were willing to admit California as a free state. But their acceptance of this was conditional. These Whigs wanted and demanded a resolution of all questions touching the South, and they considered the admission of California without reciprocal concessions by the other side as a gross injustice. In their rhetoric many of them, Stephens and Toombs included, sounded as radical and uncompromising as any Calhounite, but rabid speeches were common during this session--and angry words often cloaked the desperation of men who sought only a formula by which they could preserve their honor, their pride, and



their political careers.<sup>27</sup>

Stephens was deeply troubled throughout the whole month of January. He had fallen once more into his pensive brooding on the future, and what he foresaw was nothing less than inevitable civil war. On the day of Taylor's special message he penned a long, thoughtful letter to Linton. He had no objections, he said, to the admission of California, but simply allowing this would leave all the "great questions of the day" unsettled. There must be a general settlement. But would even this end the slavery troubles? He thought not. "When I look at the causes of the present discontent, their nation[al] character and extent I am persuaded that there will never again be harmony between the two great sections of the Union." The eventual admission of California, Oregon, New Mexico, and Nebraska would give the North majorities in Congress continually to "harrass [sic], annoy and oppress." Such "continual reproach" would become unbearable. He himself would do nothing to hasten disunion or favor it, but he now considered it "almost inevitable." The South, he concluded, could not stave off the question. "We have ultimately to submit or fight." What he would do if he were in the legislature, he told Linton, would be to introduce bills strengthening the military apparatus of the state: the militia, the arsenal, the armory. The Wilmot Proviso he

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<sup>27</sup>On the merits of Taylor's policy, see Hamilton, Prologue, 47-48; Potter, Impending Crisis, 91-94; Nevins, Ordeal, I, 257; Howell Cobb to Joseph Henry Lumpkin, 11 January 1850, Joseph Henry Lumpkin Papers, UG; Augusta Constitutionalist, 8 January 1850; Cole, Whig Party in the South, 163-64.

regarded as "a humbug . . . a dispute about 'goats wool'." Passage of the proviso could only be a cause of resistance on the grounds of its being "an insult to the South," and, he ruefully conceded, such a "public censure and national odium" on the institutions of the South "would be no small outrage." If the sectional dispute ever came to a fight, Stephens said finally, a united South would be able to maintain herself.<sup>28</sup>

The fact that Stephens, a man of profound conservatism, could harbor such thoughts is an indication of just how volatile and tense the sectional strife had become in January 1850. It is tempting, in the light of historical hindsight, to credit Stephens with the gift of prophecy in early 1850--tempting, but mistaken. Stephens wrote this letter during one of his moods of blackest gloom, and amidst one of the most riotous sessions of Congress in the country's history when not the slightest glimmer of hope for the future appeared on the horizon. When he spoke of the inevitability of civil war he did so not because he believed that the existence of slavery was threatened, or that its

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<sup>28</sup>AHS to LS, 21 January 1850, Stephens Papers, MC. Only a few days after this letter, Stephens had changed his mind about the possibilities of success for a southern confederacy. "If we had virtue and patriotism among our people and not demagogism I should hope much a great deal from a Southern Confederacy. But I fear such men as Gartrell and Smythe and all their ilk & kin. They cannot safely control the destinies of any people. They may create a revolution but they cannot build up a good government. Other heads, other hands and other hearts will be necessary for such a work." Id. to id., 10 February 1850, ibid. Gartrell and Smythe were both Southern Rights Whigs. Presumably the Southern Rights Democrats were beneath Stephens' contempt, and beyond his consideration as men proper to guide the destinies of a new confederacy. See also, AHS to James Thomas, 13 February 1850, Stephens Papers, LC.

expansion was necessary to its security in the South, but because he foresaw nothing but continuing insult to the South. At bottom, what was at stake when his section was assailed was his own personal dignity and integrity as a man, his honor as a southern gentleman. And there was but one way he could react to threats to his honor--with anger and defiance, the same way he had reacted to Judge Cone's insults. If Stephens really believed that war between the sections was inevitable, then his every action from this point until war actually occurred must be judged as utterly inconsistent, if not hypocritical. The celerity with which Stephens seized the opportunity to effect a compromise, and the tenacity he displayed in its defense belie both such judgments. In short, Stephens was no revolutionary. He was a man instinctively committed to the preservation of principles of law, order, and justice which he regarded as eternal and immutable. Only in a situation in which he perceived these principles to be in mortal danger could Stephens be brought to countenance rebellion and violent overthrow of the established, time-tested order of things. And Alexander Stephens never perceived such a danger--not now, nor in 1860 when, over his impassioned objections, thousands of his fellow southerners precipitated a rebellion in the name of justice and honor.

It is ironic that Henry Clay, the man whose influence in the capital Stephens most feared, was to be the architect of the compromise plan of 1850. Clay, once again in the Senate, introduced his famous compromise resolutions on 29 January. Eight in number, they provided for: 1) admission of California without congressional action on slavery

there, 2) organization of the remaining Mexican cession into territories without congressional restriction of slavery, 3) curtailment of Texas' western boundary in return for assumption of her debt by the national government, 4) abolition of the slave trade in the District of Columbia, 5) a stronger, more effective, fugitive slave law, and 6) a congressional statement that it had no power to interfere with the interstate slave trade.

When Clay spoke in defense of these resolutions in a two-day speech in early February, Stephens, seated on his cloak on the floor near Clay's desk, was part of the throng that mobbed the Senate chamber to hear him. The Georgian evidently had softened considerably towards Clay since the previous winter. He pronounced Clay's speech "[g]reat," and admitted that the Kentuckian was "a more remarkable man and a much greater orator" than he had ever supposed. Though it was not known at the time, nor would it become clear for several months, Clay's proposals were destined to form the basis for an eventual sectional compromise, an accommodation which, for a time, would quiet the raging storm over slavery. For the moment Clay's resolutions were, at the very least, an alternative to Taylor's policy that allowed room for maneuver and which held out the hope of a comprehensive settlement of the slavery problem. Clay's plan, or something resembling it, was just what southern Whigs were looking for. Most of them, therefore, heartily agreed with the editor of the Columbus Enquirer when he wrote, "We do not and can not agree in toto with the resolutions, but we are still in hopes that they may be the basis of a plan of settlement, which, when properly altered and amended, may be satisfactory to all parties."

Administration supporters, however, were hardly pleased by Clay's actions. To them the venerable Kentuckian was bent only on usurping the President's leadership of the party, and Taylor himself was supremely miffed by what he regarded as a politically-motivated attack upon his own policy.<sup>29</sup> The President and what forces he commanded in Congress therefore joined the force of opposition to the compromise proposals, forces which already included extremists of both sections of the Union, the abolitionists of the North and Calhoun's followers in the South.

Six months would pass before Congress could effect a compromise. For sheer drama, and at times majesty, no congressional debate in American history approaches that of 1850. The issue involved was monumental, the existence of the Union, and the cast of leading characters was imposing. Prominent in the spotlight were three figures from the golden age of the nation's history, Webster, Calhoun, and Clay, brought together for the last time in titanic struggle. The histrionic debate in the Senate has often overshadowed the violent struggle that engaged the House at the same time--and the role of Alexander Stephens in these latter events was by no means insignificant.

On 13 February President Taylor transmitted to Congress the constitution of California, and on the following Monday, the eighteenth,

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<sup>29</sup>AHS to LS, 28 January, 10 February 1850, Stephens Papers, MC; Columbus Enquirer, 5 February 1850; Poage, Henry Clay and Whig Party, 204. If Clay and Webster persisted in their indifference to the administration, said Crittenden, they should be regarded by Taylor as enemies. John J. Crittenden to John M. Clayton, 18 February 1850, Clayton Papers, LC.

Representative James Doty of Wisconsin introduced into the House a resolution instructing the Committee on the Territories to frame a bill for California's admission under her free state constitution. As part of the strategy to get California admitted without settlement of other slavery issues, Doty immediately moved the previous question. A large majority of the House favored California's admittance, and had Doty's resolution come to a vote it would have passed easily. But the southern Whigs, led by Stephens and Toombs, were determined to prevent a vote on the motion. Stephens drew up a list and scurried about the hall securing the pledges of more than the requisite one-fifth of the members necessary to demand roll calls. Then, by means of endless dilatory motions--motions to adjourn, motions to table the resolution, motions to reconsider votes, motions to go into the Committee of the Whole--all of which required the call of the 230-name roll, Stephens and his cohorts prevented a vote. The session dragged on until twelve minutes after midnight when Ccbb ruled that the legislative day was over and that Doty's resolution would not be regular business on the morrow.

At one point during the day's boisterous proceedings, John A. McClernand of Illinois, a Douglas lieutenant, approached Stephens and Toombs and inquired if a way might not be found to break the deadlock. Certainly, replied the southerners, and Stephens proceeded to set down their conditions in writing. No objection would be made to California's admission, he wrote, after the settlement of other territorial issues. Not only was the proviso to be excluded, but the people

of the territories "should be distinctly empowered" to make laws allowing slavery and to frame a constitution with respect to slavery as they chose. Congress, when the time came for the admission of these new states to the Union, was to admit them without attempting to restrict slavery. McClelland looked over what Stephens had written, nodded, and said that he thought this might form the basis of a compromise.

In line with these preliminary negotiations a conference was held on the following night at the house of Speaker Cobb. Present besides Cobb were Stephens, Toombs, and Linn Boyd of Kentucky, McClelland and William A. Richardson of Illinois, and John K. Miller of Ohio. McClelland stated that he had been authorized to act in Douglas' behalf, and the group agreed to act in concert to admit California and organize New Mexico as the southerners had demanded, and to oppose any attempt to abolish slavery in the District. It is noteworthy that all the members of the conference with the exception of Toombs and Stephens were Democrats, a foreshadowing of the party alignments on the final passage of the Compromise. Nor did this plan, unlike Clay's, have anything to say about the Texas boundary or the slave trade in the capital. Clearly, though, the proposal agreed to that frosty February night at Cobb's contained the one element most vital to the southerners, and in this respect it was very like Clay's--it allowed the South to save face.

President Taylor seems never to have grasped the importance of this essential point. For example, a few days after the conference

of 19 February Stephens, Toombs, and Thomas L. Clingman, a North Carolina Whig, called on the President to impress upon him the serious dangers attending his policy of admitting California alone. Although the specifics of the conversation are not known, it is likely that the southerners urged Taylor to veto any enactment of the Wilmot Proviso. They found Old Zack adamant. He would, said the President, sign any constitutional measure presented to him. At this point the southerners referred, probably with some excitement, to the very real danger of disunion Taylor was courting. What was simply a statement of fact to them--not one of the three desired secession, and all were actively seeking a workable compromise to avert this disaster--was a threat to Taylor. Heatedly Taylor declared that if it became necessary to execute the laws he would take command of the army himself, and would hang traitors with less reluctance than he had hanged spies and deserters in Mexico.<sup>30</sup> If the avid southern Taylorites of 1848 still needed any proof that they had grievously erred in judging Old Zack, they had it now.

It had been rumored about the capital for a week or so that Daniel Webster, probably America's most gifted orator, was soon to

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<sup>30</sup>Cong. Globe, 31st Cong., 1st sess., 375-85; Alexander H. Stephens, A Constitutional View of the Late War Between the States, 2 vols. (Philadelphia, 1868-70), II, 201-04; Thurlow Weed Barnes, Memoir of Thurlow Weed (Boston, 1884), 176-81; Charles E. Hamlin, The Life and Times of Hannibal Hamlin (Cambridge, 1899), 201-03. The circumstances and content of the interview with Taylor were the subject of controversy later on. Clingman, for example, denied ever having been present, and Stephens, although he admitted the interview took place, denied that the subject of secession was discussed. See Rabun, "Stephens," 262n. and 263n.



address the Senate on the compromise measures. Until now Webster had remained quiet. While William Lloyd Garrison and his abolitionist followers demanded an immediate dissolution of the Union, while southern legislatures passed threatening resolutions and special conventions elected delegates to the Nashville convention, while northern rallies called for immediate admission of California and the application of the proviso to New Mexico, the "god-like Daniel," next to Clay Whiggery's most illustrious son, said nothing. The stormy interview the southern Whigs had with Taylor on 23 February seems to have jolted him, and on 7 March, three days after the dying Calhoun had defiantly rejected the compromise proposals, Webster delivered his famous address in support of them. Although without saying so directly, he pronounced Taylor's plan inadequate and, appealing eloquently to a common nationality, urged the sections to settle their differences along the general lines already indicated by Clay. Webster's speech, which, by spurning the proviso, criticizing the abolitionists, and supporting new fugitive slave legislation appealed chiefly to the South, was but one more weight in the balance that was slowly but steadily tipping in favor of compromise. Although its immediate effect upon the Congress was negligible, in the country at large the speech helped greatly to create a climate of opinion, a state of mind more receptive to peaceful adjustment of the crisis--but in March 1850 this was not readily apparent.<sup>31</sup>

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<sup>31</sup>AHS to LS, 24 February 1850, Stephens Papers, MC; Claude M. Feuss, Daniel Webster, 2 vols. (Boston, 1930), II, 208; Robert F. Dalzell, Jr., Daniel Webster and the Trial of American Nationalism 1843-1852 (New York, 1975), 174-76. Webster's speech is in Cong. Globe, 31st Cong., Appendix, Part 1, 269-76.

For one thing, the Senate, a maze of conflicting, shifting factions, did not get around to creating machinery for implementing Clay's resolutions until 18 April when it formed a select Committee of Thirteen (with Clay as chairman) instructed to report on all the territorial matters in dispute. This committee reported on 8 May, presenting two bills. One, the so-called "Omnibus," lumped the admission of California, settlement of the Texas boundary, and the organization of New Mexico and Utah territories together; the second bill outlawed the slave trade in the District. Debate on the Omnibus began on 15 May and lasted until August.

Meanwhile, the House was locked in rancorous debate of its own. Doty's bill for the admission of California once again occupied the Committee of the Whole--and would until the middle of June. On 11 June, the day the House had set for ending debate on the bill, the southern bloc had as yet found no way to defeat it. All of their attempts to extend the period of debate failed; the southerners therefore resorted to a filibuster--one member after another offering amendments to the measure, giving a five-minute speech, and then withdrawing the amendment so another member could repeat the process. On 12 June Stephens added his bit to the process of obstruction. It must have given him great satisfaction to remind his House colleagues that he had opposed the acquisition of territory from Mexico from the beginning. Nor had he voted a single dollar for carrying out the treaty provisions. He had foreseen the present difficulties, he said, and had solemnly warned against territorial acquisitions, especially if no

understanding was reached on the slavery question, but his words had gone unheeded. "And we are now quarreling about the division of our ill-gotten plunder. . . . If we had come to a distinct understanding at first, we should have none of these difficulties."

The next day Stephens again made a short speech in reply to Jacob Thompson of Mississippi, who attempted to prove that the Taylor administration, elected on the promise of an equitable settlement, was now responsible for the present impasse. He had always contended, Stephens said, that Polk's institution of military governments in the Mexican territories, even under the war powers of the President was "a most glaring and dangerous usurpation of power." Perhaps the incoming administration could have done no better than to recognize these governments as de facto "until they should be superseded by others instituted by competent authority." The Taylor administration, then, was not to blame for the present state of things, but he wanted it understood that he could never sanction the continuation of military governments in time of peace. This "was contrary to the first principles of republican constitutional liberty."

As for Cass and his policy of non-intervention, this, like an extension of the Missouri Compromise line "without the recognition of slavery south of that line and all necessary protection, would . . . be a perfect mockery of right." He continued:

I hold that upon the acquisition of these territories, their government devolved upon Congress, and that it was the duty of Congress to pass all necessary laws for the fair and equal enjoyment of them by the people of the United States, or such of them as might go there with their property of every description.

The delaying tactics of the southern bloc had worn the nerves of the representatives to a frazzle. Even northern representatives, after days of listening to abuse and villification, now abetted the delay by renewing amendments to Doty's bill themselves in order to speak. It was in reply to one of these northern men, Samuel Vinton of Ohio, that Stephens spoke again on 15 June, charging Vinton with "fraud and deception" for favoring California's admission but refusing to state whether he would favor the admission of another slave state to the Union.

Stephens' speech had been angry enough, but it was Toombs who delivered the most sensational speech that day. Toombs had been uncharacteristically quiet during most of the short speeches, content to let his colleagues carry the speaking load, but on 15 June he could hold his peace no longer. Robert Schenck of Ohio had just charged that the South opposed California's admission on account of her antislavery clause. This Toombs vehemently denied. It was the North, he thundered, that insisted on grafting the proviso to every previous attempt to admit California. He was not opposed to California's admission because of how California chose to deal with slavery. "It was her right, and I am not even prepared to say that she acted unwisely in its exercise--that is her business; but I stand upon the great principle that the South has right to an equal participation in the territories." In a flaming conclusion, Toombs, supposedly one of the southern moderates, sounded more radical than many of the fire-eaters:

This right, involving as it does, political equality, is worth a thousand Unions as we have, even if they were

each a thousand times more valuable than this. . . . Deprive us of this right and appropriate this common property to yourselves, it is then your government, not mine. Then I am its enemy, and I will then, if I can, bring my children and my constituents to the altar of liberty, and like Hamilcar I would swear them to eternal hostility to your foul domination. Give us our just rights, and we are ready, as ever heretofore, to stand by the Union. . . . Refuse it, and for one, I will strike for Independence.

This speech, according to Stephens, "produced the greatest sensation in the House that I ever witnessed . . . a perfect commotion."<sup>32</sup> It also seems to have produced a sobering effect on that body because for the next six weeks Doty's bill reposed supinely in the Committee of the Whole, and no further attempt was made to bring the measure to a vote. What this amounted to in practical terms was a triumph for the Stephens-Toombs bloc. They had succeeded in staving off a vote on California's admission in the House, thus serving notice on the Senate that the lower house would await its action on the compromise proposals.

While the acerbic debates occupied both houses of Congress, a number of events took place which, in the long view of history, were more or less crucial to the success of the Compromise of 1850. On 31 March John C. Calhoun died. The staunch old Carolinian, one of the most implacable opponents of the Compromise bill in the South, was, according to the Washington rumor mill, preparing a strong argument for secession even up until the day of his death. Only a few days

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<sup>32</sup>Cong. Globe, 31st Cong., 1st sess., 1189, 1194, 1219. Toombs' speech is in ibid., 1216. Stephens, Constitutional View, II, 217.

before he died, Calhoun called in Robert Toombs. The meeting was not without its symbolic aspects: Calhoun, the old lion, was passing on his mantle to younger members of the pride. Perhaps the old man's dying whispers and his undying concern for the safety of the South had inspired the Georgian in his electrifying speech on 15 June. At any rate, Calhoun's small circle of supporters remained to the very last the only southerners willing to hazard the Union over the admission of California.

Evidence of this fact was plain. Southern moderates could point with derision to the dismal results of the Nashville convention, a movement for southern unity which had been directly inspired by Calhoun. What had seemed in late 1849 to be a formidable current for militant southernism, had, by spring degenerated, in the words of the Recorder, to "the creature of a few politicians, not that of the mass of the people, or even a respectable minority of them." It was clear that the overwhelming majority of Georgians agreed with Stephens' assessment of the movement. Writing before the vote for delegates, Stephens said that he did not know the objects of the convention, but he was "utterly opposed to it" if it met "to prepare the public mind for disunion."<sup>33</sup>

The vote in Georgia was indicative of the situation that obtained throughout the South. Less than 3,800 voters out of a total voting population of more than 80,000 even bothered to cast a ballot. Some

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<sup>33</sup>C. S. Morehead to John J. Crittenden, 31 March 1850, in Coleman, Life of Crittenden, I, 363; Iverson L. Harris to John M. Berrien, 25 April 1850, Berrien Papers, SHC/NC; Milledgeville Southern Recorder, 30 April 1850; AHS to LS, 19 March 1850, Stephens Papers, MC.

counties even failed to offer a slate of delegates, and when the convention did meet in early June, few papers of either party bothered to take much notice of the proceedings. "We care at present very little as to what may be done by a body so self-constituted and utterly powerless," said the editor of the Enquirer, and he spoke for most of the editors in the state.

The Nashville convention, missing delegations from six slave states and with official delegations from only five of the nine states represented, met for nine days at the beginning of June. At its conclusion the convention had, in substance, done just what the rest of the country was doing--it waited to see what the fate of the compromise measures in Congress would be. True, the convention did issue a statement declaring the proviso unconstitutional and endorsing an extension of the 36°30' line to the Pacific and resolved to meet again if its demands were not met--but it had taken no overt step to disunion. In short, the whole proceeding fell far short of the expectations of its originators. As a demonstration of southern solidarity it was a fiasco. The South, if the Nashville convention can be taken as representative of anything at all, was far more interested in securing its safety (and preserving its honor) within the Union than in any hastily-conceived plan to dissolve it.<sup>34</sup> The moderates had taken control even at Nashville.

During the weary months of bickering and parliamentary

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<sup>34</sup> Murray, Whig Party in Georgia, 149-50; Columbus Enquirer, 3 June 1850; Potter, Impending Crisis, 104-05.

maneuvering Alexander Stephens, one of the foremost southern moderates in Washington, had plenty of time for reflection. He wrote several long letters to Linton, letters which offer the historian interesting insights into the mind of one southerner caught up in the crisis of 1850. To the extent that Stephens defended the South and her institutions, his thoughts might be regarded as typical. But Stephens was a thoughtful man. He was aware of the complexities and anomalies of life, and, more than most men, of the ultimate tragedy of human existence. It was for this reason, for all his pride and egotism, that Stephens was kind and compassionate to the unfortunate, the weak, and the poor. And it was for this reason that slavery sometimes troubled him.

On the one hand he could be clinical about the institution, viewing it as an economic system of such obvious advantage that its spread would be all but inevitable. He would not be surprised, he told Linton, if England reinstituted the slave trade within a few years. If emancipation had not taken place in the West Indies, he wrote, "it could not be carried now. . . . The cotton plant has silently . . . revolutionized [England] within the last fifty years. . . . One year's embargo upon cotton exportation from this country would ruin England." This was a fact Stephens counted on to preserve the Union. Rather than lose southern cotton in the event of a separation of the states, Great Britain would forsake both the North and Canada. In fact, he thought, England's future policy would be to develop the Orinoco and Amazon valleys in South America as cotton-producing areas and then sell black slaves to tend the crop.



But what of the slave? Here Stephens was unsure; he at least gave an indication that, as far as he was concerned, the "positive good" of the institution was at least a questionable proposition:

This thing of African slavery is one of the greatest problems of this interesting age. . . . What is to be the fate of the poor African God only knows. His condition as a slave is certainly not a good one but I am not sure if it is not better by far in ninety nine cases out of a hundred than it is . . . in his own barbarous clime. If the comforts of a people or race are to be comported according to their natural increase and rapid multiplication the race is certainly vastly better off in this country in their present condition than it ever was in their own with all the liberty of nature.

But what if the "comforts" of a race did not comport with "rapid multiplication"? And what about the one case out of a hundred? Stephens did not say--and his silence was a measure of his doubt.

One month later Stephens had some further thoughts on the slave trade. He had been reading an article by Thomas Carlyle in Frazier's Magazine on the subject. "In this respect Carlyle is right," he observed. "If it is the duty of [a] Christian nation to put an end to the slave trade they should go directly to those people who are buying the raw Africans and tell them to quit it or be shot." England's expense in putting down the slave trade according to figures he had seen was 240 million. In federal dollars, he calculated, this would amount to \$1.2 billion, "quite enough to give a pretty liberal price for every slave in the United States . . . it would allow \$400 a piece."<sup>35</sup>

Although Stephens may have had his private doubts about the

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<sup>35</sup>AHS to LS, 25 March, 20 April 1850, Stephens Papers, MC.

efficacy of the institution he and his fellow southerners were defending daily in Congress, he had no such doubts about his own political situation and the culprits responsible for the intransigence of the administration. "All parties are corrupt," he wrote disgustedly in April, "and all party organizations are kept up by bad men for corrupt purposes." Stephens was naturally given to making such grand pronouncements, but quite likely his own estrangement from the Whigs had helped him come to this conclusion. But even more galling to him was the conduct of men he had contributed to putting in the cabinet. He had nothing but condemnation for his old friend Crawford, who, said Stephens, was "wholly unfit" for his office, took "no interest in public affairs," and "consulted nobody" about his appointments, and was "a cypher except in the discharge of the clerical duties of his office."

He was even more hostile to Ballard Preston, "a scheming intriguing politician" who had "done more to ruin this administration than all the other members of the cabinet together." The way Stephens saw it, Preston had more influence over Taylor than any other man. The President, he continued, was "pure and honest . . . [b]ut he suffers his own judgment to be controlled by that of others and by no one so much as Preston." Preston, in turn, had fallen under the malevolent influence of Seward who was aiming for the succession by allying the Whig party with the Freesoilers. And Preston's jealousy and dislike of Clay had caused him to set his head against the Compromise --and to convince the President to do likewise.

Stephens was peculiarly blind to the fact that Taylor had set his own mind against acceptance of the Compromise. To Stephens, only

Preston's influence over Taylor could explain the President's course. In fact, said Stephens, he had for months remonstrated with Preston, telling him that "his policy will ruin General Taylor [and] . . . leave him with a smaller party than Tyler had." Stephens then made a curious statement:

You will remember last fall when I first came here I told you Taylor in my opinion would sign the Proviso. You may now understand why I thought so. That part alone would not have caused me to break with the Whig party. But I soon saw that the expectation was that Winthrop was to be elected by a coalition of the Southern Whigs with the Free-soilers. And the whig party was to be the anti-slavery party. Against that I kicked.<sup>36</sup>

Did Stephens actually mean he would have countenanced a signing of the proviso? It is not likely: if for no other reason than the fact that the Freesoilers (a group of only a dozen or so men) and the northern Whigs would have been natural allies in any vote which passed the proviso through Congress. What Stephens was actually saying was that he could no longer remain a Whig (or secure his political fortunes at home) if and when the party sacrificed its nationalism by associating, even informally, with the leprous northern sectionalists.

But the point is that Stephens was far from holding President Taylor responsible for the state of affairs he found in December 1849, or even in May 1850. "Very few men scan character more closely than I do," he once remarked. He might have added also that very few men would go to the lengths he did to avoid admitting that they had made

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<sup>36</sup>Ibid., 15 April 1850.

an error in judgment. Even in early May, when it had become perfectly obvious that the President himself was spearheading the opposition to the Compromise, Stephens was convinced that Taylor was being kept in the dark "about the condition of affairs here." Beseeching Crittenden to write the President and urge him to support the Compromise, Stephens also betrayed what may have been his most basic objection to the entire course of events since returning to Washington. Fully expecting by virtue of his conspicuous support of Taylor in the election to wield influence in the administration, he found himself not only on the outside, but also forced into a position of direct opposition. Taylor, he complained, "has no conferences with his original friends, not one, except Preston and he leagued with those who were opposed to him in the beginning and have no objects now but to elevate themselves upon the sacrifice of those who made Taylor President."<sup>37</sup>

In the short space of but a year Stephens had found himself first powerless, then partyless. "I am almost an outsider," he told Linton the day after the Senate Committee of Thirteen made its report,

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<sup>37</sup>Ibid., 6 May 1850; AHS to John J. Crittenden, 7 May 1850, Crittenden Papers, DU. It might be noted here that Crittenden had already decided to support the compromise measures and was urging the administration to do so weeks before he received Stephens' letter. "The basis of . . . settlement [of the slavery question] ought to be a concession to the South of all she can reasonably & constitutionally ask . . . let all the doubtful points be granted to the South--because they are the weaker, & the aggrieved party, and most exposed to aggression. If all that she asks was granted to her, without limitation, it would amount eventually & practically to nothing. . . . I thought the President's plan was the best [but] circumstances have rather changed." John J. Crittenden to John M. Clayton, 6 April 1850, Clayton Papers, LC.

"and am beginning to feel but little interest in politicks--I mean party politicks." Very few American politicians have long survived without a party affiliation, and none have without a solid basis of political support. Stephens had indeed bolted his party and lost his power with the administration, but he still had his formidable constituency in Georgia. To hold it he would have to do one of two things: either persuade the lifelong Whigs of middle Georgia to affiliate themselves with the hated Democrats by adopting a southern rights position, or support Clay's compromise. Following the first course of action, even had Stephens been so inclined temperamentally or philosophically, was not only unthinkable, but impossible.

Party lines in Georgia throughout the year 1850 were in a state of violent flux with both Whigs and Democrats aligning along pro- and anti-Compromise lines. And party labels, once Stephens and Toombs had bolted the Whigs and Cobb had declared for compromise, had little reference to the familiar issues in Georgia politics. The state was consumed with the Compromise debate; about the only thing that was clear was that the mass of Whigs (the Berrien fringe excepted) supported Clay's measure, while all of the prominent Southern Righters were Democrats.

Given this situation at home, Alexander Stephens actually had little choice once Clay offered his proposals and the Committee of Thirteen made its report. Stephens determined that he would support the Compromise in almost any form as long as the proviso was not part of it. As a matter of fact, he did not like the territorial part of Clay's plan since it prevented territorial legislatures from passing

any legislation on slavery. He still believed that Mexican law had banned slavery in the cession "and that without some law passed by the governing power it is useless to speak of the constitutional rights of the South." But now, since "a majority of the South" had failed to concur with him he was "willing for the matter to be tested." He would not vote for Clay's bill "as a compromise," he said, "but simply as a measure to quiet the country."<sup>38</sup>

Even as Stephens penned these words on 16 May, events in New Mexico were occurring which, had Taylor not died in early July, might have brought on civil war in 1850. For on 15 May a constitutional convention had met in Santa Fe and drawn up a state constitution. Within a month the document (which contained an antislavery provision) had been approved by the people and was on its way to Washington along with a petition for statehood. New Mexico's action, of course, met with the full approval of President Taylor. Indeed, Taylor had actively encouraged her action by first ordering the military commander in the area, Colonel John Munroe, not to interfere with New Mexican movements for statehood, and then sending word that he favored statehood for the region and ordering Munroe to actively promote it.

The state of Texas was naturally enraged by these events. Texas believed that she possessed a perfectly good claim to the Rio Grande boundary, in other words, about half of the present state of New Mexico. After all, a war had been fought to establish her claim. Moreover, two succeeding Secretaries of War, Marcy and Crawford

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<sup>38</sup>AHS to LS, 14 May 1850, Stephens Papers, MC.

(until Taylor changed his mind in November 1849), had ordered the military on the upper Rio Grande not to interfere in local affairs except to aid Texas authorities. Therefore Texas agents had attempted to establish their authority at Santa Fe, only to be thwarted by Munroe, who not only turned them back but also proceeded to issue a call for a constitutional convention.

When news of this action reached Texas, there was an outburst of frenzied indignation. The governor called a special session of the legislature to meet in August. Mass meetings demanded the use of force to assert Texas' rights, and the governor, by mid-June, had written both the President and the Texas congressional delegation of his determination to act.

At about the same time, the news from New Mexico reached Washington, and southerners, radicals and moderates alike, reacted with shock and anger. Their rage was only intensified when Taylor blandly informed the Senate in a special message on 18 June that, in his opinion, the United States should retain possession of the upper Rio Grande until the boundary question could be settled "by some competent authority." On 25 June the telegraph from St. Louis brought word that New Mexico had formed a state constitution which was on its way to the capital. Southern radicals were infuriated by "the usurpation of New Mexico," which, if admitted with California, would fill "the Cup of humiliation to the brim."<sup>39</sup> At the same time nothing could have

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<sup>39</sup>Poague, Henry Clay and Whig Party, 235-38; Hamilton, Soldier in the White House, 374-76; Cong. Globe, 31st Cong., 1st sess., 1296; Wm. F. Gordon to R. M. T. Hunter, 2 July 1850, Hunter Correspondence, 114.

so crippled the movement for compromise and dismayed the moderates as this latest news from the west. For if New Mexico's petition for statehood were presented, the Omnibus, with its heart cut out, would be dead.

The southerners acted quickly. At a caucus on the night of 1 July they appointed a three-man committee--Toombs, Humphrey Marshall, and C. M. Conrad (all "original Taylor men")--to remonstrate with the President about his New Mexican policy. One at a time these men called on Taylor to warn him that his policy of immediate statehood for California and New Mexico would lose him every last vestige of southern support. They all received essentially the same answer--Taylor would stick to his policy. Moreover, said the President, if he had to sacrifice one wing of his party he could hardly be expected to throw over eighty-four northerners for the sake of twenty-nine southerners.

The dismay with which Stephens must have heard this news from Toombs can well be imagined. Shocking, too, had been Crawford's report that a majority of the cabinet had voted to revoke his order of March 1849 to Munroe to avoid interference with Texas authorities. Crawford offered his resignation rather than revoke this order, but it was refused. The President himself had then signed the new order. Still smoldering over Crawford's report, Stephens picked up his copy of the National Intelligencer on 3 July and found there an editorial which stated that, in the event of a Texas advance on Santa Fe it would be the "duty" of "the detachment of the army . . . to defend it."



Convinced that Taylor would use force to carry out his policy, Stephens sat down at his desk in the House and wrote a blistering letter to the editors of the Intelligencer:

The first Federal gun [he wrote] that shall be fired against the people of Texas, without the authority of law, will be the signal for the freemen from Delaware to the Rio Grande to rally to the rescue. Whatever differences of opinion may exist in the public mind touching the proper boundary of Texas, nothing can be clearer than that it is not a question to be decided by the army . . . the cause of Texas, in such a conflict, will be the cause of the entire South. And whether you consider Santa Fe in danger or not, you may yet live to see that fifteen States of this Union, with seven millions of people, "who, knowing their rights, dare maintain them" cannot be easily conquered!<sup>40</sup>

Virtually all historians of the period have accepted Stephens' later statement that he and Toombs went to the White House on 3 July to warn Taylor of the dire consequences of his New Mexican policy. According to these accounts, the two Congressmen had a stormy interview with the President, who, of course, remained stubbornly fixed to his course. In great excitement they left the White House and sought out Preston. Stephens and Toombs were desperate enough at this point to hope that a man in whom both had lost all faith would help them to try and change Taylor's mind. Preston was not at home, but the Georgians encountered him on the steps of the Treasury Building. There then

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<sup>40</sup>Poague, ibid., 237-38; Savannah Morning News, 10 July 1850; AHS to the Editors, 3 July 1850; Washington National Intelligencer, 4 July 1850.

ensued a long discussion between Stephens and Preston in which the former stated that if troops were sent to New Mexico the President would be impeached. "Who will impeach him?" Preston asked frostily.

Angrily Stephens replied: "I will if nobody else does!"<sup>41</sup>

This account in its broad outlines is correct, but in one essential detail it is wrong. Stephens did not accompany Toombs to the White House. While Toombs was off to speak with Taylor, Stephens was at his desk in the House writing his letter to the Intelligencer. When Toombs returned with confirmation of Taylor's intransigence, Stephens immediately dispatched his letter, and the two men went off on their desperate search for Preston. There are two pieces of direct evidence to corroborate this rendering of events. The first is a letter Stephens wrote to Linton on 10 July, a week after the editorial appeared in the Intelligencer. Unaccountably the letter has, until now, eluded the attention of historians. It is important enough to be quoted at length:

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<sup>41</sup>The traditional account is based on a letter of Stephens to J. Fairfax McLaughlin, 18 March 1871, Stephens Papers, EU. This letter is reprinted in Stephens, Recollections, 15-29. The account of events on 3 July is on page 26. All but one of the secondary sources I have examined render the story as Stephens remembered it twenty-one years later. See, for example, Poage, Henry Clay and Whig Party, 238; Von Abele, Stephens, 128; Cole, Whig Party in South, 167; Nevins, Ordeal, I, 330-31; and Rabun, "Stephens," 269-70. The most judicious account is in Hamilton, Soldier in the White House, 380-81. After careful review of the evidence, Hamilton concludes that Toombs or Stephens and Toombs together had several interviews with Taylor in the two months preceding the President's death. "It is logical to suppose," he writes, "that the final interview occurred July 3, and that Stephens did not then accompany Toombs." Ibid., 381. It can now be stated with certainty that Hamilton is correct. It is interesting to note that neither of the two contemporary biographers of Stephens mention the interview at all.

This day a week ago [Stephens wrote] the article appeared in the Intelligencer to which I replied in the paper of the 4th. Soon after I saw that article in the paper I told Mr. Toombs what I contended to do. For I had learned that the Administration intended to take that position and I had determined to tackle [?] that policy at its first hop. When I informed Toombs of my purpose he went up to see the President and have a full and free conversation with him touching his policy on this Texas boundary question. He found the old general in fine health and spirits and found him also to my regret seemingly quite determined to maintain the policy indicated in the Intelligencer. I cannot report the entire conversation not even "as it was reported to me" but it was of such character as caused me to send my letter forthwith to the office for publication. . . . The letter and Toombs talk I have reason to believe made an impression upon [Taylor's] mind. Such an impression which induced me then to believe and I still think as would have prevented him if he had lived from ever attempting to carry out the policy he once thought of.

Part of the reason the story of 3 July got so garbled was the scurrilous report of one "Henrico," a correspondent for the Philadelphia Evening Bulletin, which was widely published in the northern press shortly after Taylor's death. In his report "Henrico" charged that on 5 July Stephens and Toombs had visited the President on his deathbed to browbeat him with threats of censure by the House. Stephens, in a public letter, categorically denied this report. "I did not see General Taylor during his last illness, nor did my colleague Mr. Toombs. The last interview I had with him was several days [emphasis mine] before his attack, and never, in any interview I had with him, was there the slightest allusion made in the remotest degree whatever, to the subject stated by Henrico."<sup>42</sup> Taylor was stricken with acute

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<sup>42</sup>AHS to LS, 10 July 1850, Stephens Papers, MC; AHS to Editors of the Baltimore Clipper, 13 July 1850, TSC Corr., 195. "Henrico" later changed the date the supposed interview took place from 5 July to 3 July--hence becoming the source for later confusion.

gastroenterities on 5 July, a fact that was well known in Washington almost immediately. If Stephens had been with the President on the third, it is highly unlikely he would have described his last interview with Taylor as occurring "several days before his attack."

Indeed, Stephens had made an attempt to see Taylor during his last illness, but had not gotten in to the sick room. He, Toombs, and Crawford had called at six p.m. on Tuesday, 9 July, to see how the President was doing. The President, to say the least, was not doing well--at ten-thirty that night, he died.

Stephens, although he admitted "a high respect and sincere regard" for Taylor, was not exactly prostrated by grief for Old Zack. It was best, he thought, that "Providence has removed him." He, like most of the friends of compromise, could not have been blind to the fact that a mammoth obstacle to a peaceful resolution of the sectional crisis had been removed. But even after Taylor's death, Stephens continued to misjudge the man (and, not surprisingly, to refuse admitting that he himself had made a mistake). "General Taylor was an honest well meaning patriotic man," he wrote. "And if he had obeyed his own impulses instead of being governed by the foolish counsels of his cabinet his administration if he had lived would have been eminently pacific and succesful [sic]."

The fact of the matter was that Taylor had followed his own impulses. His devotion to the American Union was as unflinching as his bulldog tenacity in hewing to the course he had charted for the country in his December message. But for all his honesty, patriotism, and rough-hewn frontier virtues, Zachary Taylor lacked vision and the

ability to accurately gauge the enormous complexity of the sectional crisis confronting the nation in 1850. Moreover, underlying Taylor's hostility to the compromise was a streak of morbid jealousy for Henry Clay. From the moment Clay appeared in Washington, Taylor allowed himself to be convinced that the Kentuckian was bent on usurping his own leadership of the party. Thus he viewed Clay's compromise proposals as merely an attempt to subvert his own policy, and he grew more obstinate and unreasoning as time went on. At the time of his death, an unfinished message to Congress lay on Taylor's desk, a message which urged admission of California and New Mexico and asserted that the President would never allow a Texas seizure of New Mexican territory. Had Taylor lived to send that message, the Union may well have been torn assunder in 1850. More than a few Americans, both in and out of Congress, agreed with Daniel Webster, who was quoted as saying: "If General Taylor had lived, we would have had civil war."<sup>43</sup>

But Taylor was dead--and the Compromise was alive.

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<sup>43</sup>AHS to LS, 10 July 1850, Stephens Papers, MC; Poague, Henry Clay and Whig Party, 204-05, 233-34; Nevins, Ordeal, I, 332. Webster is quoted in Hilliard, Politics and Pen Pictures, 231.

## CHAPTER VIII

### FURY, FRANTIC INDIGNATION, DEPTH OF PAINS, AND HEIGHT OF PASSION

The Omnibus bill survived Zachary Taylor by a little over two weeks. It was somehow fitting that as indigestion had killed Taylor, Clay's bill also expired because too many legislators could not stomach the Omnibus. It contained too many unpalatable elements for many senators to swallow at one gulp. Elements of the compromise which could, and later did, pass separately, were not able to command enough support to pass together. By lumping his major settlement proposals together in one bill, Clay had made a serious tactical error. Neither he nor anyone else in the Senate was able to control the situation when the bill came up for a vote on 31 July. One by one the sections of the Omnibus were lopped off until by the end of the day only the Utah territorial provision remained. This part passed the next day, and the following day, after delivering an angry speech, an exhausted and bitter Clay left Washington for an extended rest in Rhode Island.

"What do you think the 'old fogies' have done?" Stephens wrote Linton disgustedly on 31 July. "They have made a complete fry of the Compromise . . . no one can tell what is to become of the question or the country." He intended to leave, he said, and go home

and "I dont care what they do or fail to do." Two days later Stephens was still in ill humor. He had not liked Clay's last speech blasting southern senators for voting against his bill. "I thought it would have been in much better taste to have lashed the North who are set upon measures which may goad the South to resistance." He now thought the Senate might pass the Compromise piecemeal, but he was not sure. "The world is made up of fools," he concluded angrily, "great fools, incorrigible fools and incomprehensible fools."

Stephens did leave Washington, but not until the middle of August. Even before he departed the capital, Clay's compromise proposals, as Stephens had suspected, were, under the skillful tutelage of Stephan A. Douglas, being passed singly by the Senate. On 9 August the upper house passed a bill providing for adjustment of the Texas boundary, with monetary compensation to that state in return for her loss of territory on the upper Rio Grande. (The other compromise measures passed the Senate in quick succession: 13 August, California statehood; 15 August, New Mexican territorial bill; 26 August, the Fugitive Slave bill; 16 September, prohibition of the slave trade in Washington). The Senate had acted swiftly in response to President Millard Fillmore's 6 August message on Texas. The new President, although favorably disposed to the compromise, really had no choice but to uphold the national authority in the Santa Fe region. However, his message had been conciliatory, urging an immediate settlement of the boundary difficulties.

Even as the Senate was moving to effect this end on the ninth,

Alexander Stephens was reiterating his well-known views on the boundary question to the House. On the use of national force to prevent extension of Texas' authority he was still defiant, saying that such action would be "a gross usurpation of power which should be resisted . . . resisted by arms, as lawless force should always be resisted." The cause of Texas in the event of a clash with Federal authorities would be the cause of the whole South.

Although the first part of this speech was belligerent, Stephens' address when considered as a whole was not. He was quite willing, he said, to settle the Texas boundary along the lines Fillmore had suggested, provided Texas agreed and the other sectional problems were solved--and of these, southern rights in the territories occupied the place of primary importance. "I am no enemy to the Union--and I am for its preservation and perpetuation," Stephens reminded the House, "if it can be done upon principles of equality and justice." But, "it is time for mutual concessions." If the North persisted in trying "to ingraft upon the policy of this common Government [its] anti-slavery views . . . it is useless to say anything more of compromise, settlement, adjustment, or union." All the South asked, said Stephens, was that Congress open the territories to settlement to all citizens of the country "with their property of every kind" or "an equitable division" of the territory. Was this wrong?

Toward the end of the speech Stephens confessed that when he considered the "character, extent, and radical nature" of the differences between the sections he had "unpleasant apprehensions" for future



peace. But, he was not disposed to "anticipate evil by indulging those apprehensions unless compelled to do so."

Our business today [he concluded] is with the present, and not the future; and I would now invoke every member of this House . . . to come up like men and patriots, and relieve the country from the dangerous embarrassments by which it is . . . surrounded. . . . To do this, I tell you again there must be concessions by the North as well as the South. Are you not prepared to make them?<sup>1</sup>

A few days after this speech Stephens left Washington for Georgia. Exactly why he left is unknown. It may be that he had decided that Congress would take two or three months more to pass the compromise and that his presence in Washington was, therefore, unnecessary. Shortly after Taylor's death, Stephens had written: "I wish I was at home to see how our people really talk and feel." And on 6 August, he told his brother John L. that he intended to leave on the twelfth and remain at home until after the court sessions.<sup>2</sup> More than likely it was a combination of these factors that induced Stephens to leave.

If Stephens came home to take the public pulse, he quickly discovered that it was racing in all parts of the state, and at an especially alarming rate in middle Georgia. Differences over the

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<sup>1</sup>Hamilton, Prologue to Conflict, 107-17, 133-50; AHS to LS, 31 July, 2 August 1850, Stephens Papers, MC; Cong. Globe, 31st Cong., 1st sess., Appendix, 1082-84. With typical hyperbole Stephens later described this speech as doing "more than any other one that session . . . to carry the famous adjustment measures." Stephens, Recollections, 27.

<sup>2</sup>Rabun, "Stephens," 275; AHS to LS, 15 July 1850, Stephens Papers, MC; AHS to John L. Stephens, 6 August 1850, ibid., EU. In Recollections, 27, Stephens says he "was called home," but was paired with a Connecticut Freesoiler.

proper response to Clay's compromise and to the Nashville convention were questions which were already disintegrating Georgia's traditional party lines. And the process of disintegration was only hastened by a call issued by the state's extremists for a mass resistance meeting in Macon in August. The southern rights men were determined to force matters to a head if they could. The dismal showing of the united resistance movement at Nashville had not been lost on them. What they now fell back upon was agitation on the state level--with the Nashville resolutions as pretext. "They expect to manufacture public opinion," scoffed Cobb's uncle, John B. Lamar. "It is not the expression of the deliberate convictions of the people they want, but their aim is to produce a false impression abroad. . . . God damn 'em how I wish old Jackson was alive & President . . . for the next twelve months."

Lamar's anger can well be understood. Extremist agitation had succeeded in completely demoralizing the Democratic party in Georgia. For their part, Georgia Whigs clung, almost desperately, to hopes for the eventual success of the compromise. "Who will attempt to predict the consequences [if the compromise is lost]?" the Southern Recorder moaned. "We shall not--we have no heart for such a subject."<sup>3</sup> Even those Whigs inclined to support the southern rights movement were repelled by the transparent political motives which seemed to inspire it. So disgusted was one of these Whigs, Iverson L. Harris, with

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<sup>3</sup>John B. Lamar to Howell Cobb, 5 July 1850, (typescript) Cobb-Erwin-Lamar Papers, UG; Absalom H. Chappell to id., 10 July 1850, John H. Lumpkin to id., 29 July 1850, TSC Corr., 193, 209; Milledgeville Southern Recorder, 30 July 1850.

"this agitation" and "the use of this topic for sinister and selfish purposes at home," that he was ready to yield to the compromise if it passed. It was clear to Harris that neither the South nor Georgia was united, and that the opposing sides were "doing all they can to widen our differences . . . looking . . . more to ascendancy at home" than to the issues involved with the South's destiny.

It was in the midst of this turmoil that Stephens returned to Georgia. By mid-August over two dozen counties had held southern rights meetings and gone on record against the compromise and for the Nashville convention's resolution in favor of extending the Missouri Compromise line. The mass meeting at Macon, held on 21 August, was the culmination of the anti-compromise campaign. The three to four thousand people in attendance were regaled by defiant speeches from William Yancey and Barnwell Rhett, among others. The Macon meeting in effect marked the demise of the traditional Democratic party in Georgia. On the ruins of the old Jacksonian aggregation, a new party, the Southern Rights party, was constructed. As its name implies, this new party was committed to the principles of Calhoun, and although its stand on secession was never clearly defined, a determined minority of its membership were out-and-out secessionists. This extremist element in the new party was what caused a large number of influential Democrats to repudiate the organization and join forces with Stephens, Toombs, and Cobb. As one of these Democrats put it, "Party harness sets very loosely on the people of Georgia at this time, and we are prepared to

adjust it according to the principles of the man, either as he is for or against the union."<sup>4</sup>

Some of Stephens' angry and temerarious rhetoric in Congress had confused the folks back home. At least one of Stephens' correspondents was convinced that "the present dissensions in Georgia . . . have arisen entirely from the fact that our people do not understand the position of their representatives."<sup>5</sup> Once home Stephens moved quickly to correct any misapprehensions, delivering two speeches, one at Warrenton, the other at Crawfordville. In both speeches he defended the pending bills in Congress and counselled moderation. He was against disunion for any of the existing causes, he said, especially the admission of California. The nature of the territorial bills then before Congress required of Stephens a repudiation of his previously-stated view that Congress was required to pass laws protecting slavery in the Mexican cession. It was a "great error," he contended, to believe that Congress had no power to legislate on slavery in the territories. He would not concede that the right to legislate on slavery implied the right to abolish it, but "there was a difference of opinion" on that subject, he conceded. Many southerners were sincere in espousing the principle

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<sup>4</sup>Iverson L. Harris to John M. Berrien, 2 August 1850, Berrien Papers, SHC/NC; Horace Montgomery, Cracker Parties (Baton Rouge, 1950) 25-27; James A. Meriwether to Howell Cobb, 24 August 1850, TSC Corr., 211.

<sup>5</sup>S. T. Chapman to AHS, 31 August 1850, Stephens Papers, LC. Stephens' speech on 9 August on the Texas boundary had been "genuine saltpetre . . . most greedily devoured by that class of fellow citizens who are eager for a fight," said one Whig editor. Columbus Enquirer, 10 September 1850.

of nonintervention, and if he "was wrong in that matter then these bills were now as good as they need be for the South." Indeed, the bills did not go as far as he would have liked because they did not provide "in express terms" that the territories be open for slavery, but "in principle" they extended the line of the Missouri compromise to 42°, and were therefore fine as far as they went.

A few days later at Crawfordville Stephens announced his full conversion to the doctrine of nonintervention. No longer did he "hold it a duty of Congress to establish slavery by law." Slavery did not depend upon positive law for its establishment. He now accepted the fact that Mexican antislavery laws had been abrogated by the conquest of the area. Thus southerners, under the Senate bills, now had "a perfect right" to enter the territories with their slaves "outside of California up to 42nd deg."<sup>6</sup>

Stephens may not have been aware of Ralph Waldo Emerson's nostrum that "a foolish consistency is the hobgoblin of little minds," but in deciding to abandon his position that Congress had the obligation to provide positive protection for slavery in the territories he demonstrated its truth. The Stephens who accepted congressional

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<sup>6</sup>Synopsis of Warrenton speech in Milledgeville Southern Recorder, 10 September 1850; Crawfordville speech in Augusta Chronicle and Sentinel, 5 September 1850. Rabun recounts these events with an ill-disguised sneer, first, because "[i]t was the first time in his career that Stephens acknowledged that he might not have been right on an important issue,"--a justifiable charge, perhaps; and second, because "[h]e abandoned entirely the idea that he had proclaimed so dogmatically to the House in 1848--the idea that slavery was a local institution 'which depends solely upon the municipal laws of the place where it exists.'" Rabun, "Stephens," 278.

nonintervention in August 1850 was not the same man who had rejected it out of hand in July 1848, or who had declared in the House on 13 June 1850 that the doctrine was "a perfect mockery of right." The vicious struggle for the Compromise had not altered in the least his conception of southern "rights" in the territories--he still believed the South was by right entitled to congressional protection of slave property in the territories--but it had changed his mind about the wisdom of making this abstract right a point of resistance. "Non-intervention is not the full measure of our rights," he wrote later, "but . . . the only proper point of resistance is some hostile legislation or positive aggression." Stephens recognized that his original position had very little support in the South.<sup>7</sup> He also recognized the nonintervention formula for what it was, a modus vivendi which at least preserved the color of southern rights in the territories. It was clear by August 1850 that the application of this formula to Utah and New Mexico was the most the South could expect to receive from the North, and the least the vast majority of his constituents would accept. It must be remembered that a face-saving accomodation for the South in the territories was really the only sine qua non Stephens and his Whig compatriots had. The nonintervention formula, distasteful though it might be in theory, was the only practical means moderate men could devise to avert the proviso. On these grounds alone it was more than enough to enlist Stephens' support. And what was true of Stephens was also true of thousands of other middle Georgia Whigs who accepted the Democratic

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<sup>7</sup>AHS to John Steele, 9 April 1859, Stephens Papers, DU.

formula of nonintervention to avert a much greater disaster.

It was almost as if the House could not wait to consider the compromise proposals so swiftly did it pass them. On the day Stephens left for Washington, 6 September, the House passed the Texas boundary and New Mexico territorial bill; on the seventh, the California statehood and Utah territory bills; on the twelfth, the fugitive slave bill. Stephens was back in town on 13 September in time to vote, on the seventeenth, for the last remaining part of the compromise, that abolishing the slave trade in Washington. Stephens voted "nay," but the bill carried easily, and the compromise was complete.<sup>8</sup>

The long struggle in Congress was over, but in Georgia a fierce one was just about to begin. In accordance with the resolutions passed by the legislature back in February (resolutions requiring a state convention to be called in the event of California's admission), Governor Towns, on 23 September, ordered a special election for 25 November for delegates. The convention would meet in Milledgeville on 10 December 1850. In his proclamation, Towns sounded the clarion call of the radicals. "Your institutions are in jeopardy," he warned, ". . . and the Federal Constitution violated by a series of aggressive measures, all tending to the consummation of one object, the abolition of slavery." The campaign that now ensued in Georgia was one of national significance, for hers was to be the first southern voice to speak in response

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<sup>8</sup>Toombs left Washington on 15 September, and hence did not vote on the slave trade bill. He voted "aye" on every compromise measure but the admission of California. Hamilton, Prologue to Conflict, Appendix C, 200.

to the compromise. And the way Georgia responded would, to a large extent, determine the response of other southern states, especially that of Mississippi and South Carolina. In Mississippi the governor had called a special session of the legislature, and in Carolina the legislature met in regular session in November. Had either of these states acted before Georgia, it is quite likely they would have seceded.<sup>9</sup>

Georgia's congressional delegation returned home in October; Stephens, Toombs, and Cobb immediately and energetically threw themselves into the campaign for acceptance of the compromise. Aside from the immense prestige these magnetic leaders brought to the Unionist cause,<sup>10</sup> their efforts were aided by a condition of unparalleled prosperity in the state. Cotton was thirteen cents a pound and the state was producing half a million bales annually, second only to Alabama. The state produced 30 million bushels of corn in 1850, along with vast quantities of livestock, swine, and other agricultural products: fruit, wheat, tobacco, and oats. Forty cotton mills, with 60,000 spindles, vied with chugging locomotives on ever-increasing trackage as symbols of the state's expanding industries.

The importance of the leadership of the triumvirate, however,

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<sup>9</sup>Milledgeville Federal Union, 24 September 1850; Potter, Impending Crisis, 125-26. The significance of Georgia's position was not lost on contemporaries. "Georgia will be a counterpoise to South Carolina in the present issue as she was in the days of nullification." George W. Crawford to Charles Lanman, 26 October 1850, Charles Lanman Papers, LC.

<sup>10</sup>For the sake of convenience I have adopted the label the pro-compromise forces in Georgia applied to themselves. It is not, as will be seen, a technically accurate depiction of the alternatives involved in the election.



during the campaign should not be underestimated. Politics in the antebellum South was an intensely personal affair between a leader and his constituency. There can be no serious doubt that had Stephens, Toombs, and Cobb (the only other procompromise men approaching the stature of these three were Senator William C. Dawson and Crawford, the defrocked Secretary of War) counselled resistance, the result of the campaign in Georgia would have been far different. For these three giants in Georgia politics would then have been in the company of a host of other able and influential leaders: Governor Towns, ex-governors Wilson Lumpkin, Charles J. McDonald, and George M. Trcup, former Senators Hershel Johnson (who, in the most quotable phrase of the campaign, termed the compromise "a fecund box of nauseous nostrums") and Walter T. Colquitt, not to mention Berrien. Opposed to this array of political talent were state and local leaders like Charles J. Jenkins, John E. Ward, Eugenius Nisbet, and Dr. Richard Arnold--all men of courage and ability, but far below the Southern Rights men in stature.<sup>11</sup>

Few campaigns in Georgia have rivalled the bitterness of that in 1850. "A fiercer political campaign I have never passed through," confessed Dr. Arnold in December. Stephens and Toombs' often violent rhetoric in Congress had cheered and heartened the radicals, and they were naturally stung to boundless fury when the two congressmen ac-

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<sup>11</sup>Montgomery, Cracker Parties, 28-29; Kenneth Coleman, ed., A History of Georgia (Athens, GA, 1977), Ch. XII, passim; Augusta Constitutionalist, 3 August 1850, contains the Johnson quote. The lineup of opposing forces is in Rabun, "Stephens," 281-82.

cepted the compromise. Although Stephens came in for his share of abuse, it was "Hamilcar" Toombs upon whom the Southern Rights press poured its choicest invective--"demagogue," "submissionist," "trimmer," and "juggler" were only a few of the printable epithets they branded him with.

One of the strongholds of Southern Rights sentiment was in the city of Columbus. Stephens and Toombs had challenged radical leaders there to a joint debate on 2 November. Upon their arrival in town the two congressmen found no opponents to debate, but the several effigies of Toombs hanging around town were unmistakable indications of the mood of the citizenry. Nevertheless, Toombs proceeded to insult the hostile crowd: he was wearing the first white shirt ever into a Democratic gathering, Toombs cried, and now the scruffy followers of Calhoun were attempting to overthrow the government. Why, these people didn't have the strength to overturn an 8 x 10 smokehouse. Maybe not. But the crowd did have its pride. At one stage during the boisterous proceedings knives and pistols were drawn and fistfights broke out in the crowd. "Toombs and Stephens," reported the editor of the Columbus Times with marvellous understatement, "have operated like sparks on a tinder box in this community. . . . we deem it fortunate there was no serious accident to report."<sup>12</sup>

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<sup>12</sup>R. D. Arnold to John W. Forney, 18 December 1850, in Richard H. Shryock, ed., Letters of Richard D. Arnold, M. D. (Durham, NC, 1929), 44; Luther J. Glenn to Howell Cobb, 21 September 1850, TSC Corr., 213; Augusta Constitutionalist, 10 November 1850, quoting the Columbus Times and Columbus Sentinel on Toombs; Augusta Chronicle and Sentinel, 9 November 1850, quoting the Columbus Times on the rally in Columbus; "Autobiography" of R. J. Moses (typescript), 47, SHC/NC.

Part of the reason for the rage in Columbus was attributable to the fact that the Southern Rights position was being systematically misrepresented by the Unionists. At the beginning of the campaign the triumvirate had purposely painted the issues in glaringly contrasting colors: accepting the compromise, they said, would preserve the Union; rejecting the compromise would dissolve it. And indeed, in the early stages of the struggle the tone of the Southern Rights press had made it easy for the Unionists to do this. "We despise the Union, and the North as we do hell itself," raged the Columbus Sentinel. "WE ARE FOR SECESSION, FOR RESISTANCE, OPEN, UNQUALIFIED RESISTANCE," roared the Macon Telegraph. At one time or another, similar sentiments were expressed by other Southern Rights papers: the Augusta Republic, the Columbus Times, the Savannah Georgian, and, of course, the Constitutionalist. Even the normally circumspect Federal Union had come close to endorsing disunion. Well might the Unionist Macon Journal profess astonishment at the boldness of its enemies: "Some of the presses seem to be edited by infuriated madmen and the public speakers deport themselves like men partially demented."

The unqualified radicalism of some Southern Rights editors, however, was not representative of many men who opposed the compromise. Hershel Johnson, for example, never favored separate state secession. The issue, insisted the Federal Union on 1 October, was "resistance or submission" not "union or disunion." By mid-November, this paper was urging that "Resistance now, with the Rights of the South may save the Union." But what kind of resistance? This was the matter Southern

Rights men could not agree upon.

The most conspicuous men in the resistance movement, in terms of visibility and volume if not numbers, were outright secessionists. But as the campaign progressed the cry for disunion became steadily more muted until, in late October, Stephens could report that it had been abandoned. The opposition leaders, he said, now "declare themselves simply in favour of Southern Rights and some measure of redress . . . which is constitutional."<sup>13</sup> What any particular Southern Rights man meant by "resistance" varied widely. Berrien, for example, favored a plan of commercial nonintercourse with the North. Others, following the lead of the Nashville convention (which had met in its second abortive session in early November), demanded an extension of the Missouri Compromise line. Still others seemed to envision nothing more than a petition for redress to the national government. But no matter where they stood, the Southern Rights men bore the opprobrium of being labelled "disunionists." Toombs and Stephens, crisscrossing middle Georgia and the western part of the state, and Cobb stumping just as hard in the Cherokee counties of the north, all harped on the same theme: the enemies of the compromise and the enemies of the union were identical.

By his own reckoning Stephens travelled three thousand miles

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<sup>13</sup>Columbus Sentinel, 12 September 1850, and Macon Telegraph, 17 September 1850, quoted in Augusta Chronicle and Sentinel, 20 September 1850; Macon Journal and Messenger, quoted in Nevins, Ordeal, I, 355; Percy Scott Flippin, Hershel V. Johnson of Georgia: State Rights Unionist (Richmond, VA, 1931), 30; Milledgeville Federal Union, 1 October, 19 November 1850; Shryock, Georgia and the Union, 310; AHS to John J. Crittenden, 24 October 1850, Crittenden Papers, DU.

during the campaign, at one point absenting himself from his beloved Crawfordville for over two weeks. Once again during the course of a heated campaign he let his flinty temper get the best of him. The Augusta Republic, seeking to embarrass Stephens, printed several of the angriest excerpts from Little Aleck's speech on 9 August on the Texas boundary. Quite inadvertently, through the inexperience of a young copy boy, the excerpts were labelled as coming from Stephens' speech against the Clayton bill. This innocent mistake was the pretext for Stephens, in a public letter, to impute that both Smythe, the editor, and his paper were chronic liars. Smythe was quick to explain the error, but for some reason--perhaps he harbored bitter memories of their joint debate in Warrenton back in August--Stephens refused to withdraw his remarks. An affair of honor was only narrowly averted through the agency of James Gardner, the editor of the Constitutionalist, but it took over three weeks and at least nine delicately phrased letters to induce Stephens publicly to retract his offensive remarks.<sup>14</sup> What Stephens hoped to gain by this descent into childish pettiness is difficult to say; but in matters affecting his hypersensitive pride, Alexander Stephens always made a practice of speaking in haste and repenting at leisure--if indeed he deigned to repent at all.

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<sup>14</sup>C. Jay Smith, Jr., "John McPherson Berrien," in Horace Montgomery, ed., Georgians in Profile: Historical Essays in Honor of C. Merton Coulter (Athens, GA, 1958), 190-91; Rabun, "Stephens," 282-85, 287-88; Stephens, Recollections, 27; AHS to John J. Crittenden, 11 November 1850, Crittenden Papers, DU. The letters on the Smythe-Stephens affair are in MC, 25 November-16 December 1850. Stephens public letters, accusing and apologizing, are in Augusta Chronicle and Sentinel, 6 November and 22 December 1850, respectively.

On 25 November, by a smashing vote of 46,616 to 24,499, Georgia voters approved the Compromise of 1850. The Unionists succeeded in rolling up the greatest party majority in the history of the state. Only 10 out of 93 counties elected Southern Rights delegations, and of the 264 delegates, a mere 23, less than ten percent, were "resistance" men. Less than half of Georgia's Democrats had supported the Southern Rights delegates.

Moderates throughout the country rejoiced at these resounding results. The state's course "crushed the spirit of discord, disunion and Civil War," said Henry Clay; and from a Connecticut committee Stephens received a letter of effusive praise. Procompromise northern papers were quick to credit Georgia with averting a national disaster. On the day after the election, the Governor of South Carolina--who bore the intriguingly aqueous name of Whitemarsh Seabrook--told his legislature that the state, without the cooperation of her sister states, should avoid precipitate action. Thus, the secessionists of South Carolina were checked; and by their action, or rather, lack of action, they, too, paid tribute to Georgia's vote for Union.<sup>15</sup>

No other convention in Georgia's history, with the exception of the secession convention of 1861, was to have as profound an effect on the state as the august body which was gavelled to order in the

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<sup>15</sup>Shryock, Georgia and the Union, 319, 324-25; Henry Clay to A. H. Chappell et al., 13 February 1851, in Milledgeville Southern Recorder, 4 March 1851; Francis Ives et al. to AHS, 9 December 1850, Stephens Papers, MC; Montgomery, Cracker Parties, 34-35.

state capital on 10 December. Composed of men of property, education, and wealth--over one-half of them were slaveholders--and containing virtually every important Whig leader, the convention was decidedly conservative, decidedly upper class. The convention met for five days, and at the end of its proceedings Georgia had a new political party and the South had a new statement of principles, the document that became famous as "the Georgia Platform."

Soon after the convention opened Charles J. Jenkins of Augusta moved the creation of a committee of thirty-three, three men from each judicial district, to draft an official statement of principles. Jenkins was named its chairman, and two days later the committee submitted its report. Jenkins himself was responsible for drafting the document, although Stephens and Toombs had both seen a rough draft copy before the convention and suggested changes which were incorporated into the final copy.<sup>16</sup>

Jenkins' report and accompanying resolutions were adopted

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<sup>16</sup>Olive H. Shadgett, "Charles Jones Jenkins, Jr." in Montgomery, ed., Georgians in Profile, 227; Rabun, "Stephens," 292. Stephens later claimed to have served on the committee that drafted the Georgia Platform (he did not), and that "on all the turning points" the resolutions were his own. Stephens, Recollections, 27. To the extent that the Georgia Platform represented the thinking of almost all the Georgia Unionists in 1850, Stephens is correct, but he was hardly the originator of the document or the ideas in it. "Mr Stephens and Mr Toombs," wrote one man who attended the convention, "participated but little in the proceedings of the Convention, and so far as I know had but little agency in shaping its action." F. S. Bartow to John M. Berrien, 16 December 1850, Berrien Papers, SHC/NC. Recently-discovered evidence definitely establishes Jenkins' authorship of the convention document. See Royce McCrary, ed., "The Authorship of the Georgia Platform of 1850: A Letter by Charles J. Jenkins," Georgia Historical Quarterly 54 (1970): 585-90.

on the last day of the convention by an overwhelming vote of 237 to 19. The preamble reviewed the course of the slavery controversy, and stated that Georgia, although not fully satisfied with California's admission, would abide by it. Next came the five resolutions, which together comprised the Georgia Platform. In order that the state's position "be clearly apprehended by her Confederates . . . South and . . . North, and that she may be blameless of all future consequences" Georgia carefully delineated her principles and spelled out the limits of her acquiescence to the compromise, i.e., future encroachments she would refuse to accept.

The first resolution stated that the Union was "secondary in importance only to the rights and principles it was designed to perpetuate." The second endorsed the principle of compromise, while the third promised that, "whilst she does not wholly approve" of the Compromise of 1850, Georgia would "abide by it as a permanent adjustment of the sectional controversy." The fourth resolution promised that Georgia would resist, "even (as a last resort) to a disruption of [the Union]" any of the following: abolition of slavery in the District of Columbia or in federal areas like forts and navy yards within the southern states; suppression of the interstate slave trade; refusal to admit a new state because it recognized slavery; passage of any act prohibiting slavery in Utah or New Mexico; or any repeal or dilution of fugitive slave laws. The fifth resolution stated bluntly that preservation of the Union depended upon "faithful execution of the Fugitive Slave Bill."



The Georgia Platform according to the emphasis one placed on it, served the interests of both Unionists and Southern Rights men. Hence both sides hailed the document as a vindication of its own creed. Throughout the nation papers heaped praise on Georgia's patriotic stand. The Chronicle proudly printed admiring squibs from Washington, New York, Pennsylvania, Rhode Island, and Louisiana newspapers. In the outpouring of elation over Georgia's action, however, many men were apt to overlook the rigorously conditional nature of Georgia's--and through her, the South's--acceptance of the Compromise. The Georgia Platform was, in short, anything but a "submissionist" document.

The crisis of 1850 had clearly shown the fissures in the foundation of the American Union. Through a hectic and harrowing six months the Congress concocted and applied to these fissures what was intended to be quick-setting, long-lasting cement--the compromise measures. The cement did, in fact, set quickly: radicals in all the states received decisive setbacks. But would the cement last? Only time could provide the answer. As historian David Potter has observed, the defeat of southern radicals "did not mean the South had accepted either the finality of the Compromise or the permanence of the Union. Rather, it had accepted the Union if the Compromise was in fact final." The southern men Potter refers to here were the hundreds of thousands of conditional Unionists, willing yet to entrust their rights, safety, and honor to the care of the Union. But there were thousands of other men in the South also, a much smaller group, to be sure, but no less committed for that--radicals bent on dissolving the Union, lying in wait for the proper time. "There is not the smallest respect or

affection for the 'Union' even lingering among Representatives or People in this State," wrote one of these men in late December 1850, "and the Question of dissolving it . . . is only one of time, and expediency."<sup>17</sup>

The crisis of 1850 had irreparably shattered traditional party lines in Georgia. Thus, it was only a matter of time also before the Unionist Whigs and Democrats would coalesce into a common organization. Portents of this combination were already evident during the meeting of the Assembly in 1849-50. There Democrats of the Cherokee district had cooperated with Whigs in resisting attempts by the majority to redistrict the state so as to emasculate the districts of Stephens and Toombs. Plans made at that time for the formation of a Union party came to fruition during sessions of the December convention, or rather, at meetings between the sessions. At the initial meeting, 11 December, both Stephens and Toombs delivered eloquent Union speeches, the former declaring that the Union was still in danger from fanatics in both sections. The only way to arrest this fanaticism, he continued, was for all friends of Union to join in one great national organization "upon a principle as broad as the Constitution." This principle was certainly broad enough for the assembled Georgians. In meetings on the following two nights the new party--the Constitutional Union party,

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<sup>17</sup>Georgia Platform may be found in Johnston and Browne, Stephens, 259-60; Augusta Chronicle and Sentinel, 1, 3 January 1851; Potter, Impending Crisis, 129; J. Townsend to Judge Henry Lumpkin, 20 December 1850, Joseph Henry Lumpkin Papers, UG. Townsend was a South Carolina state senator.

it styled itself--formally organized, adopted the final resolutions of the convention as its platform, made plans to meet in gubernatorial convention in June, and even appointed county delegates to attend a National Union convention in Washington on 22 February 1851.

So Stephens and Toombs returned to Washington as members of a new political party. But whether or not this organization was really needed--had it not already served its purpose by beating down the disunionists?--or whether it could possibly hope to maintain an independent existence for very long remained to be seen. As one student of Georgia history has pointed out, both the Constitutional Union and Southern Rights parties had identical objectives: the protection and preservation of southern interests. What actually separated the two was the question of method. The Constitutional Unionists were in the mainstream of the historic pattern of two-party politics in the United States. That is, they envisioned a national organization, comprised of men from both sections of the country, which, it was assumed, would carry on an adversary relationship with sectional "fanatics." Southern interests would thus be safeguarded by a balance of power scheme of party discipline. The Southern Rights men, on the other hand, were heirs of Calhoun who distrusted and despised the traditional two-party system. Only through a strictly southern party, a united South, they believed, would southern rights be secured.<sup>18</sup>

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<sup>18</sup>Shryock, Georgia and the Union, 234-36; Murray, Whig Party in Georgia, 155-57; Milledgeville Southern Recorder, 17 December 1850; Montgomery, Cracker Parties, 36-37.

This, at least, was the theory. In practice, however, neither of these parties achieved more than local significance. The Union party, for example, existed only in Georgia, Mississippi, and, to some extent, in Alabama--where state governments had endorsed resistance and where local disunion sentiment was strong enough to be dangerous. In every other southern state--in Virginia, Kentucky, North Carolina, Louisiana, and Tennessee--where the Whig party was in control or constituted a strong minority, each party retained its separate identity.

It goes without saying that this was true of the entire North also. As in the South, there had been two sharply divergent reactions to the Compromise. Northern conservatives, weary of sectional strife and genuinely alarmed by the vehemence of southern reaction, hailed the Compromise with relief. But the bitterest pill the North was forced to swallow in 1850 was the new Fugitive Slave law. It was indeed a draconian piece of legislation: fugitives, or men accused by sworn affidavit of being fugitives, were denied jury trials or even public hearings. Special federal commissioners attached to the usual courts were authorized to remand a captured Negro south without appeal or stay--and they were paid ten dollars for returning a Negro, five for releasing one. Under the provisions of the law ordinary citizens were enjoined to aid in the capture of runaways, and heavy penalties were prescribed for anyone impeding the work of deputies and marshals engaged in the unsavory task of manhunting.

Inevitably extreme antislavery men raised a horrendous howl

over the Fugitive Slave law, vowing eternal resistance to the foul measure. Public meetings, called to denounce the law, were held in hundreds of northern communities during the fall and winter of 1850-51. Just as inevitably there were scattered incidents of mob violence in which fugitives or alleged fugitives were spirited off to safety. And in the wake of righteous rhetoric against the law, two radical northern politicians--Charles Sumner of Massachusetts and Benjamin Wade of Ohio--managed to win seats in the United States Senate in 1851 elections.

But the elections of Sumner and Wade were exceptional. Elsewhere in northern elections the Democrats, overwhelmingly supportive of the Compromise, did well. A tide of conservative northern reaction was setting in. Like the conservatives of the South, procompromise northerners had not liked all the features of the settlement, but they were willing to live with it as a bulwark against further sectional passions. The Fillmore administration stood firmly behind the Compromise, and by summer of 1851 Whig and Democratic conventions in most northern states pledged faithful adherence to the adjustment measures as the law of the land.<sup>19</sup>

This turn of events quite naturally doomed the Constitutional Union party as a national movement. Early in the new year there was some idle gossip in the capital about a Clay-Cass ticket in 1852. (Incidentally, Stephens had supped with Cass, whom he now pronounced "a sociable old fellow.") And on 22 January a bipartisan congressional

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<sup>19</sup>Cole, Whig Party in South, 182-91; Nevins, Ordeal, I, 381-401.

group, of sorts--five Democrats among forty-four signers--signed a statement pledging themselves not to support any opponent of the Compromise for any office.

But other signs everywhere pointed to the unmistakable fact that the traditional two-party system was very much intact. Both party organs in the capital, the Union and the Intelligencer, disapproved of the third party movement. The "national" Union convention, scheduled for 22 February, failed to materialize. And worse, southern Whigs outside of Georgia and Mississippi remained firmly wedded to their old party. "A union of heterogenous bodies!" scoffed one Tennessee Whig. "It is absurd." Even in Georgia, according to the Columbus Times, Union Democrats were "rubbing their eyes . . . and wondering how in the damn hell they got into an omnibus with Bob Toombs and Alex Stephens." If this observation was a portent of things to come for the Union party, there occurred an even stranger one shortly after Congress opened for the short session.

The Whig congressional caucus, spurred on by the cabinet, passed a strong procompromise resolution. Toombs, who confessed himself nonplussed by the whole proceeding, thought it "to be a Whig effort at nationalization . . . they desired to cutt [sic] loose from their Free-soil allies at any . . . hazard." Indeed, Toombs interpreted the avowals of some northern Whigs that they "were ready to vote for" a Compromise Democrat as a strengthening of the Union party.<sup>20</sup> Had he

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<sup>20</sup>AHS to LS, 10 February 1850, Stephens Papers, MC; Rabun, "Stephens," 298-99; Washington National Intelligencer, 23 January 1851; Charles Ready to John Bell, 3 January 1851, John Bell Papers, LC; Columbus Times, 4 January 1851, quoted in George V. Irons, "The

analyzed the matter more carefully, he might have seen the caucus vote for what it was: an endorsement of the Fillmore administration--and a clear sign that the Whig party had accommodated itself to reality.

What Stephens thought of the national prospects of the Union party can only be conjectured. He wrote little about politics during this session, and what little he did write indicates that his expectations were far from sanguine. He would take more pleasure, he wrote from his desk in the House, in "gardening or farming [or even] . . . ploughing than anything I can think of. With politicks I am heartily worn out. I dont care a fig for a single subject now."<sup>21</sup>

The fact was that Stephens had fallen once again into a spell of melancholy. It was hardly because he had time on his hands. The House sessions may have indeed been boring and tedious, but Stephens' off hours were filled with an almost continuous round of parties, teas, dinners, and soirees. In fact, he and Toombs had attained something of celebrity status in the capital. Conspicuous for their roles in "saving the Union" in the recent campaign, the two Georgia congressmen were now indispensable guests on the glittering Washington social circuit.

January 1851 was a busy month for Stephens--New Years Day receptions; dinner at Charles M. Conrad's, the new Secretary of War, on the eleventh; dinner at the White House on the twenty-third. And in

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Secession Movement in Georgia 1850-61" (Ph. D. dissertation, Duke University, 1936), 69-70; Robert Toombs to Howell Cobb, 2 January 1851, TSC Corr., 219.

<sup>21</sup>AHS to LS, 12 January 1851, Stephens Papers, EU.

between these social engagements Stephens found time to attend a circus at the National Theater (He had a near brush with serious injury there. A whole section of seats, directly across from him, collapsed. No one was killed, but several persons were badly hurt.), and to move to new quarters. He and Toombs had taken rooms at Willard's Hotel at the beginning of the session, but a case of smallpox there had forced them out. The two men found new lodgings at the Buckingham house on E Street, four blocks from Capitol Hill.

The round of convivial affairs was not an unalloyed pleasure for Stephens. Doubtless he enjoyed his hero status, along with the good food and wines and lighthearted mirth that prevailed at these gatherings.<sup>22</sup> But unfortunately, some of the other guests were not to his liking. Like the young Marquis de Lafayette, for example, the grandson of the Revolutionary hero. When first they crossed paths, at Conrad's dinner, Stephens had taken "an unutterable aversion" to him.

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<sup>22</sup>Id. to id., 1, 11, 22, 23 January 1851, ibid., MC. I cannot resist relating one of the stories that Stephens heard and enjoyed at the dinner at Conrad's on the 11th. The following quotation is from the letter of that date. "Senator [John H.] Clarke [of Rhode Island] is a great wag and something of a wit. On this occasion he undertook to describe the manner of Berriens cold precise style of speaking in the Senate. He said it reminded him of an old quaker in his town who one night said to his good lady in bed--Sarah my dear I think thee better get up and go to the cupboard that sits in the corner of the kitchen and get the candle that thee will find on the left hand corner of the third shelf from the bottom and light it and bring it here for I think our son Dickey has beshit himself." Stephens laughed at the story, but he was not unsympathetic to Berrien. "He stands low here at this time," he told Linton. "The ruling passion . . . of all men of all sides seems to be to hit him. I am sorry for him."



Lafayette, it seems, had expressed a desire to meet Freesoil Senator Salmon P. Chase of Ohio. An innocent enough desire, but Stephens decided that Lafayette desired the meeting simply because Chase "was an abolitionist." When the two men met again at the White House a couple of weeks later, Stephens went out of his way to be petty--deliberately snubbing "that French radical" and taking pleasure in the fact that Lafayette, only one place away at the table, had few people to talk to while Stephens himself kept his end of the table "in a constant roar for a great part of the evening." "I stretched myself just for spite," Stephens reported maliciously.

If Stephens' aversion to "French radicals" was "unutterable," he did manage to find words to express his disgust on another occasion. In describing to Linton a tea he attended at Georgetown on 2 February, he said:

The affair was very pleasant, saving and excepting some flirts & wriggling of some young ladies in attendance. Some of these were abominable, detestable, just such actions as I would expect to see the vilest prostitutes in a whorehouse perform! These were done in dancing &c, &c.

This must have been an exceptional tea party! It is no doubt safe to say, given his utterances on this occasion, that had Stephens ever visited a bordello, he would have been struck dumb, if not dead.

"I did not dance," he added unnecessarily. "I am particular in telling for fear you might have curiosity to know."

Stephens was thirty-nine years old in 1851, hardly an age at which a man becomes immune to the beguiling blandishments of young women.

And, in fact, in his own peculiar way, he was not completely immune. One young lady at the tea, Miss Virginia Semmes, the hostess' daughter, "took my fancy exceedingly," he confessed. "For beauty, intelligence, form, grace and everything that enters into the composition of a perfect woman she stands number one amongst all the women I ever saw." Here, in one sentence, is the distillation of Stephens' utterly romantic and idealized conception of women. Like Truth itself, the "Perfect Woman" actually existed for Stephens--being the incorrigible Platonist he was, how could it have been otherwise? And Miss Semmes seems to have come as close to the Ideal as was possible for any corporeal manifestation to do. But even when he was discussing such near perfection, Stephens found it hard to rhapsodize. He contented himself with this one-sentence description of Virginia's charms. "There is no need for further description," Stephens concluded, "so I will drop the subject."<sup>23</sup> Women and romance were subjects Stephens was never comfortable with, and the few references he made to women who attracted his admiration were always cryptic. There is little question but that he thought most women frivolous, and all women beneath him in mental and moral attainments. And in this respect only would Stephens have admitted equality of the sexes: he felt the same way about most men.

Stephens' testy mood could not have been improved by the state of his health. He had not been well in the latter part of January. Chills and fever had confined him to his room for several days. And

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<sup>23</sup>Ibid., 23 January, 2 February 1851.

as February began, he finally decided to have his painful lower front teeth worked on. They had "been decaying for some time."<sup>24</sup>

But Stephens was more than irritable at this time; he was profoundly sad, a mood his health had nothing to do with. He could be despondent when he felt fine, or cheerful amidst horrible suffering. No, this depression stemmed from loneliness, a realization of how unlike other men he really was. Perhaps the sight of the young people abandoning themselves to the pleasures of dancing at Mrs. Semmes', or the gaiety and glitter he witnessed on the social circuit reminded him of his strangeness, his inability to find joy in situations that brought joy to others. Was it a secret longing in Stephens to be more like other men, to feel a part of humanity and not separated from it? Or was it his physical inferiority, and his inability to accept it that caused his oppressive sadness? It may have been either--or both. The answer cannot be given with certainty. One thing, however, is clear: Stephens was acutely aware of being different, and the thought of it sometimes tortured him. So, as always, he took refuge behind a mask of superior intellect and moral rectitude. Being better than mankind, or thinking himself so, was the only way that Stephens could live with his own uniqueness. But consciously setting himself apart only served to increase his loneliness and sorrow. And it was in the midst of this fearsome contradiction that Stephens lived most of his life.

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<sup>24</sup>Ibid., 27 January, 2 February 1851.

Perhaps in no other letter in the thousands that Stephens wrote does the man reveal himself so starkly as in the one that follows.

It was written to Linton on 3 February 1851:

The world is a strange place! And man's life is but a dreary pilgrimage through an inhospitable clime. . . . Sometimes I have thought of all men I was most miserable. That I was particularly doomed to misfortune, to melancholly [*sic*], to sorrows and grief--that my path way of life was not only over the same mountains and . . . deserts with others but that an evil genius was my inseparable companion following at my side and forever mocking and grinning and making those places which in the lives of others are most happy and agreeable to me most miserable by his fiendish and hideous laughs! . . . --the misery--the deep agony of spirit and soul I have suffered no mortal on earth knows and never will!--The torture of body is severe. I have had my share of that. Rheum and neuralgia, headache, toothache, fever and most maladies man is heir to but all these combined are slight . . . when compared to the pangs of an offended or wounded Spirit. . . . The heart alone knows its own sorrow! . . . --I have borne it all my life. . . . I am tempted to tell you a secret. It is the secret of my life. I have never told it to anyone [.] I have always kept it sacred. But I will tell you . . . if you never suspected it, it shows how true I have been to myself in keeping it. The secret of my life has been revenge. Not revenge in the usual acception [*sic*] of that term. But a determination to war ever against fate! To meet the world in all its forces to master evil with good and to have no foe standing in my rear! No one who could say that I was indebted to him for my life. My greatest courage has been drawn from the deepest despair. And the greatest efforts of my life have been fruits of a . . . fixed resolve excited by as slight a thing as a look! . . . When I have been ready to lie down and die under the weight of grief which is greater than all other griefs . . . I have often had my whole soul instantly aroused with the fury of a lion and the ambition of a Caesar by I repeat as slight a thing as a look!--Oh what I have suffered from a look . . . the tone of a remark! . . . from a supposed injury! But each and every such pang was the friction that brought out the latent fires. My spirit of warring against the world however never had anything in it of a desire to crush or trample the vile crew . . . to punish them for their follies but only to command their respect for my

own superior virtues. . . . This is the length and breadth and depth of my revenge. It has nothing in it low or mean. For it is to triumph over the base that it stimulates [sic] me to action. To be successfully [sic] sweet it must be pure, pure in principle & pure in execution. But what poor consolation is this. What short lived pleasures attend a victory thus attained?

The world, it appears, as often as not remained completely oblivious to Stephens' "superior virtues." And it was this that rankled, this that tempted him "to crush every viper that crosses my path!"<sup>25</sup> But Stephens could not do this, any more than he could admit his own fallibility. He was not a mean or spiteful person, only one almost obsessively driven to prove himself before men.

Small wonder, then, that such a man became a politician. Politics offered the largest, most visible stage in the nineteenth century for an individual to perform upon. And until after the Civil War at least, it was a field that attracted some of the best talent in America, talent that was rewarded by the respect and adulation of the masses.

But the political situation in Georgia after the Compromise was an anomaly. There, unlike the situation in other states, the compromise struggle had produced a complete breakdown of the traditional two-party system. Probably at no time in his long career did Stephens wield as much power and influence in Georgia as he did now, but it was power and influence that extended little, if any, beyond the borders of his own state. Being one of the big fish in Georgia's small pond was certainly not distasteful to Stephens, but it would be erroneous

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<sup>25</sup>Ibid., 3 February 1851. See also, Von Abele, Stephens, 134-37, and Rabun, "Stephens," 302-03.

to suppose that he could remain content with this situation indefinitely.

Nor could the other leaders in the Union party. Moreover the party these men presided over was a jerry-built conglomeration of contradictions, bound to fragment once its reason for existence disappeared. And once this process of breakdown started, politicians who savored the respect and adulation of the masses--and the power this brought with it--would perforce be sent scurrying back into the ranks of more stable political organizations. Some men recognized this almost immediately. For a man like Stephens, though, completely secure in his own district, fiercely independent, and utterly loathe to contemplate association with one vile crew, the Democrats, the decision to return to a national party would take considerable time. In his case it took almost five years.

## CHAPTER IX

### NEW WINE AND OLD BOTTLES

Eighteen fifty-one was an unusual election year in Georgia. For the first time in the state's history the gubernatorial and congressional elections were to be held simultaneously. Previously these elections were held in alternate years, but the same Democratic legislature which in February 1850 had ordered the state convention had also postponed the elections scheduled for that year so as not to interfere with the convention. This legislature, it will be recalled, had also redistricted the state. Threats of a Whig walkout, depriving the Assembly of a quorum, had compelled the majority Democrats to give up their plans of putting Taliaferro and Wilkes counties into one district. Thus they had contented themselves with shifting doubtful or certain Democratic counties from the districts of Stephens and Toombs into other districts. Their action had indeed kept the First and Third districts from being completely swamped in the Union flood of 1850, but it had also made the Seventh and Eighth districts impregnable for Stephens and Toombs.

The juggling had gained for Stephens' district, the Seventh, three stoutly Whig counties: Laurens, Washington, and Hancock, in return for four: Butts, Jasper, Jones, and Wilkinson, all of which had gone Democratic in 1848. Thus, what slight competition Stephens

had suffered since his entry into national politics was now removed. But an even more important effect of the Assembly's action resulted from the coincidence of the state and national elections: a line of division which was fast disappearing already, the line between state and national politics, was now almost obliterated. Inevitably, with the two elections being held at the same time, the period of frenzied campaigning increased; and voter attention tended to focus increasingly upon national issues. Just as inevitably, as the decade wore on and the sectional troubles mounted, this focus on national issues progressively precluded calm consideration of the issues and played into the hands of the extremists.<sup>1</sup>

The extremists of 1850, the Southern Rights men, were the first to convene in 1851, at Milledgeville on 28 May. The party nominated Charles J. McDonald for governor, a man who had twice held the office and who had played a prominent part in the Nashville convention. The party platform leaned as strongly towards fire-eating proclivities as did its candidate, denouncing the Compromise of 1850 and asserting, in no uncertain terms, the right of a state to secede from the Union. The use of the secession issue was calculated to woo as many Union Democrats as possible away from their unholy alliance with the Whigs.

Members of the unholy alliance themselves met in convention on 2 June. Stephens was ill, unable to attend, but Toombs, in his

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<sup>1</sup>Rabun, "Stephens," 305-06.



capacity as chairman of the Resolutions committee, handled everything exactly as Little Aleck could have wished. The Constitutional Unionists studiously avoided any mention of secession, glorified the Georgia Platform, and warned against the diabolical plots of the Southern Rights men to embroil Georgia in a revolution against the government. Then, by acclamation the convention nominated Howell Cobb for governor. The nomination of Cobb, a former Democrat, was almost a foregone conclusion. For the Union party to have run a Whig would have courted disaster. Such a course could have only confirmed the insistent Southern Rights charge that Constitutional Unionism was but "a cunning Whig trap to catch gulls." Cobb, however, had pursued a shrewd course to the nomination. With the covert aid of the Fillmore administration he had carefully dispensed patronage to potentially useful allies, and had several times blunted Southern Rights efforts to encourage rival bids.<sup>2</sup>

Back in February Stephens may have found politics uninteresting, but at the start of the summer campaign he was convalescing, and he chaffed under the inactivity. The campaign was a strenuous one, filled with the usual charges, counter-charges and insults. The Southern Righters seized upon the secession issue to enflame once again the passions of voters already surfeited with the sturm und drang of sectional agitation. Although the issue bore little relation to political

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<sup>2</sup>Murray, Whig Party in Georgia, 158-59; Montgomery, Cracker Parties, 39-40; Augusta Constitutionalist, 10 December, 1850; Simpson, Cobb, 67.

realities--the Southern Rights men carefully denied any secessionist intentions--it was effective in indoctrinating Georgians in the ultimate mode of resistance.

At first Cobb attempted to ignore the issue, but in June a Southern Rights meeting in Macon propounded a series of public questions on the right of peaceable secession and the right of the central government to coerce a sovereign state that Cobb felt compelled to notice. Both Stephens and Toombs were quick to advise Cobb on how he should answer, and their opinions were identical. Toombs averred that he could not see how a man's personal opinion on secession was of any practical consequence. "Political rights of communities in the last analysis are nothing but the blood of the brave," he wrote, ". . . a contest about the right of secession is a mere dispute about words."

Stephens also advised Cobb to treat "the right of secession as . . . an abstract right. It is but . . . a right of revolution . . . maintain that no just cause for [it] exists." The main point Stephens wanted emphasized was South Carolina's revolutionary intentions. "The only question now is whether we should go into revolution or not." As for the right of coercion, Stephens, in stark contrast to his views in 1833 and 1861, urged Cobb to maintain the President's "right and duty . . . to execute the law against all factious opposition whether in Mass. or S. C. Maintain the power to execute the fugitive slave law at the North . . . or any other law against any lawless opposition in S. C."

Several weeks later Cobb's reply to the Macon committee appeared in the press. Despite Stephens' advice to "be pointed not prolix,"

Cobb's letter filled three columns of close print in the Southern Recorder. Since making any sense out of this document would tax the abilities of the most skillful rhetorician, it is probably safe to assume that the task was beyond most Georgia voters. On the one hand Cobb denied "the right of a State to secede at pleasure . . . with or without just cause" because this would mean the framers of the Constitution had provided for the dissolution of their own government from the outset. But on the other hand Cobb wrote, "I admit the right of a State to secede for just causes, to be determined by herself." This right to secede "in case of oppression [is] . . . derived from the reserved sovereignty of the States," and was not constitutional but "revolutionary in its character." Citizens of a state seceding under these circumstances, however, would not be guilty of treason, and "I would not attempt by the strong arm of military power to bring her citizens back to their allegiance unless compelled to do so in defense of the rights and interests of the remaining States." A "kind and indulgent policy," thought Cobb, would soon coax a seceding state "to retrace her wandering steps and return." Finally, concluded Cobb, if he were the governor and was called upon by the President to furnish militia to coerce a seceded state, he would feel it necessary to call a state convention to determine Georgia's course.<sup>3</sup>

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<sup>3</sup>Shryock, Georgia and the Union, 356; Macon Telegraph, 8 July 1851, quoted in Augusta Constitutionalist, 11 July 1851; Robert Toombs to Howell Cobb, 19 June 1851, Cobb Papers, UG; AHS to id., 23 June 1851, TSC Corr., 238; Howell Cobb to John Rutherford et al., 12 August 1851, ibid., 249-59.

Like a three-ring circus this letter had something for everybody. It had to--the hybrid nature of the Union party prevented Cobb from anything but the rankest sort of equivocation on such a volatile question as secession. But the letter at least served its primary purpose. It was not meant to enlighten anyone, only to hold the disparate wings of the Union party together. The Southern Rights press naturally heaped scorn on Cobb's explanations: "a depraved political act," snorted the Columbus Times. The "wavering, . . . twisting, . . . coloring . . . and qualifying" which characterized the statement had made only too plain Cobb's fear of discussing the issue. Even some of Cobb's friends were mildly critical. Toombs, for example, thought his positions correct, but unsustained by the arguments. But whether secession was right or not, continued Toombs, the Union party was in existence to prevent its necessity.<sup>4</sup>

What illness confined Stephens to his home until late July is not known, but as soon as he was able to be up he took to the stump. Unlike Cobb and Toombs, who canvassed large areas of the state, Stephens stayed close to home, confining himself mostly to the little hamlets of his district like Sparta, Penfield, and Waynesboro. He, like other Union speakers, avoided obscurantist dialectics on the nature of secession. Little Aleck and his fellows simply continued to save the Union, "proclaiming the principles of the adjustment 'fair,

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<sup>4</sup> Columbus Times, 11 July 1851, quoted in Augusta Constitutionalist, 15 July 1851; Robert Toombs to Howell Cobb, 9 June 1851, Georgia Historical Quarterly 5 (September, 1921): 47-48.

equitable, & just', that it was a 'Southern triumph,' that the South had no cause of complaint, that she got 'all she asked for & more too'--" But eulogizing the Compromise was simply the first step in attacking their enemies; for the Unionists went on to proclaim that anyone who denied the correctness of the settlement was, ipso facto, a disunionist, and therefore in league with the mad revolutionaries of South Carolina. Over and over again Georgia voters were warned that the election of McDonald would ensure South Carolina's secession. And if Georgia should follow South Carolina's lead, then, as Stephens reminded his rural audiences, "you wool hat boys would have to do the fighting."<sup>5</sup>

These warnings were the same tactics which had proven so successful in 1850, and they met with the same withering scorn from the Southern Rights press as before. "The ceaseless clamor of Union!" raged Hershel Johnson. "The integrity of the Union is not assailed by the Southern Rights party." The only issue involved was the right of peaceable secession. Of course the triumvirate remained the most conspicuous targets of hostile barbs: Cobb, charged the Columbus Times, was "a grand criminal before the bar of an insulted South." Toombs' "diabolical somersets" had bewildered the South, leading it astray into "cuckold burrs." "Hamilcar" should stay at home, suggested one editor, for the next two years and study the Constitution, rather than sell out the South for the sake of office.

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<sup>5</sup>Rabun, "Stephens," 309; C. Dougherty to John M. Berrien, 24 August 1851, Berrien Papers, SHC/NC; Augusta Constitutionalist, 5 August 1851.

Stephens came in for the same rough handling. The Constitutionalist employed a familiar tactic, printing great swaths of Stephens' belligerent speeches of the past three years. Stephens' former patriotism, scoffed the editor, had now disappeared under "his cowardly fears, . . . his selfish ambition, or his betraying judgment." The Federal Union observed, not altogether inaccurately, that Stephens was vain:

His great object is to make a great man of Alexander H. Stephens. He has set up an image in his own likeness, and commands all his followers to fall down before it and worship. Those only that have heard his political speeches, can imagine how much egotism, self-conceit, and impudence, can be contained in one small body. Big I, is the Alpha and Omega, the beginning and the end of his speeches.<sup>6</sup>

Shall Georgia be governed "by an irresponsible and insolent triumvirate, or act for herself [as] a free and independent sovereignty?" shrilled the Federal Union as election day approached. This paper was, in fact, voicing the foremost fear of the Southern Righters--that defeat would exclude any but Unionists from office. Indeed, as early as February Berrien was being advised that "the new confederates would put in a claim" for his Senate seat. There had been some talk of running Stephens for the Senate, but by March Toombs appears to have been the favorite. For his own part, Stephens, despite the urgings of friends, declined any pretensions to Berrien's place. "I shall never be a Senator in Congress," he said in a speech at Penfield,

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<sup>6</sup>H. V. Johnson to Robert A. White et al., 30 August 1851, Augusta Constitutionalist, 10 September 1851; Columbus Times, quoted in ibid., 3 July 1851; ibid., 1 July, 13 September 1851; Milledgeville Federal Union, 16 September 1851.

"the only offices I look upon as worthy of my aspirations are those which are given directly by the people."<sup>7</sup>

But the Senate seat was not beyond the aspirations of Robert Toombs. However, to antagonize as few of Berrien's followers as possible, Toombs slyly insinuated that the Union party would support the old Senator for reelection. To some extent this ruse succeeded in convincing some of Berrien's followers in middle Georgia to endorse the Union ticket. This was too much for the old Senator. In a public letter to the people of Georgia in mid-September, he repudiated Cobb and the Union party, simply confirming what had been known privately for a long time.

Berrien's "coming out" had no perceptible effect on the election results. Georgians turned out in record numbers in October, and the Union party achieved an unprecedented victory. Cobb triumphed over McDonald by an unheard of margin of over 18,000 votes, 57,397 to 38,824. Cobb won all but 10 south Georgia counties. Meanwhile Union candidates won 39 of 47 seats in the state Senate, 105 of 132 in the House. In the Seventh district Stephens crushed Sparta lawyer David W. Lewis by 4,744 votes to 1,955 votes--70.4 percent of the vote, his largest antebellum victory. Toombs' winning margin in the Eighth

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<sup>7</sup>Milledgeville Federal Union, 26 August 1851; C. J. Jenkins to John M. Berrien, 5 February 1851 and Iverson L. Harris to id., 12 March 1851, Berrien Papers, SHC/NC; A. H. Kenean to AHS, 3 July 1851, Stephens Papers, EU; Augusta Chronicle and Sentinel, 1 October 1851. Two of Toombs' biographers, Phillips, Toombs, 105, and Thompson, Toombs, 29, assert that Stephens was miffed by being passed over for the Senate. There is no evidence to support this.

district, although not as large as his friend's, was still substantial: over 2,000 votes.

While Georgia Unionists were achieving this stunning victory, their compatriots in Alabama and Mississippi were doing likewise. Unionist candidates for Congress and the state legislature triumphed decisively in Alabama, and in Mississippi diminutive Unionist Henry S. Foote defeated Jefferson Davis, the Southern Rights candidate, for governor. A special state convention which met in January 1852 was top-heavy with Union delegates. The convention accepted the Compromise and passed resolutions virtually identical to the Georgia Platform--with one significant exception: a flat denial of the right of secession. At the same time South Carolina separate state actionists (men who favored the secession of their state even if she had to do it alone) were being severely defeated by "cooperationists," who favored southern resistance only if the cooperation of the other southern states could be secured. By the time South Carolina's convention met in April 1852, the secession movement, such as it was, was a dead letter across the South. The Carolinians had waited too long. In resolutions passed by the convention the state declared that her grievances fully justified secession, but that for reasons of expediency she would forebear to exercise her right to leave the Union. With this fire-eater Robert Barnwell Rhett resigned his United States Senate seat and went home--to agitate and to wait.<sup>8</sup> There is a time for every purpose under

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<sup>8</sup>11 citizens of Waynesboro to John M. Berrien, 3 September 1851, Berrien Papers, SHC/NC; election returns in Milledgeville Southern Recorder, 21 October, 11 November 1851; Potter, Impending Crisis, 129.



heaven, and the time for Rhett and men like him was not yet.

"Save us--Merciful God!--save us from being represented in the United States Senate for six years by either Toombs or Stephens," the Southern Rights press had prayed fervently during the campaign. But divine mercy was not forthcoming for them when the Georgia Assembly met in November for its annual session. The Southern Rights men, of course, could expect no mercy from the Unionists, and they got none. The victorious Unionists wasted no time in dividing the spoils. No sooner had the election results been published than Toombs declared his candidacy for Berrien's Senate seat. On 10 November the legislature bestowed the seat on Toombs. Although there was nothing illegal about this election, it was sharp politics, and it laid the triumvirate open to serious charges of political trickery. For Berrien's term did not expire until March 1853. In other words, the next legislature could have filled the seat. The Unionists were moving with unseemly haste.

They acted quickly, too, to rectify another irritating situation. Apparently dissatisfied with the most recent (Democratic) gerrymander of the congressional districts, the Union Assembly proceeded after Toombs' election to carry out one of its own. In the resulting shuffle Stephens' Seventh district became the Eighth. Only two counties of Stephens' previous district were placed in his new one, Taliaferro and Oglethorpe. To these were added nine more counties: Elbert, Lincoln, Wilkes, Warren, Columbia, Richmond, Burke, Jefferson and Scriven; all but the last-named were solidly Whig. The character of Stephens'

constituency underwent barely any change. The effect of the redistricting was to shift Stephens' district to the east by roughly two tiers of counties. Six of the eleven counties in the new Eighth district bordered the Savannah River, and one of them, Richmond, contained one of Georgia's few sizeable cities, Augusta. It was with this district that Little Aleck would be identified for the rest of his life--and he ruled it as much as he ever had the old Seventh.

Southern Rights reaction to these events was predictable: a clucking we-told-you-so lament. "At present Georgia is perfectly under the control and management of [Toombs, Stephens and Cobb]," said the Albany Patriot. "They have attained this ascendancy by political trickery. . . . Mr. Toombs made Mr. Cobb Governor, Mr. Cobb made Mr. Toombs Senator, and Mr. Stephens is to have what ever he calls for at all hours." It would only be a matter of time, continued the Patriot hopefully, before the people would put a stop to this "Mutual Insurance Company."<sup>9</sup>

Humiliated for the second time in less than a year, the Southern Rights party saw the handwriting on the wall for their party.

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<sup>9</sup>Macon Telegraph, n. d., quoted in Rabun, "Stephens," 313; Robert Toombs to Howell Cobb, 11 October 1851, TSC Corr., 261; Thompson, Toombs, 80-81; Rabun, "Stephens," 347; Albany Patriot, quoted in Augusta Chronicle and Sentinel, 2 December 1851. Berrien's supporters were not the only ones to oppose Toombs' election to the Senate. He also encountered bitter opposition from other factions of the Union party, composed, no doubt, of other long-standing enemies. See Murray, Whig Party in Georgia, 161. "It is too close to be comfortable," Toombs had written to his wife on the eve of his election, ". . . if I am defeated . . . my [politica]l race is run, and perhaps I feel too lit[t]le interest in the result for success." 5 November 1851, Toombs Papers, UG.

Thus, within a few weeks after the election, they took definite steps to reunite with the national Democratic party. At a party convention in Milledgeville on 25 November, a select committee chaired by Hershel Johnson recommended that delegates be sent to the next Democratic convention, scheduled for Baltimore in June 1852. The convention agreed, and promptly made plans to meet again for the selection of delegates. And in a move carefully calculated to sow as much dissention as possible in the Union ranks, the convention also passed resolutions firmly endorsing the Georgia Platform.

This new Southern Rights gambit was received with consternation by the Union Party. Revival of the Democracy in Georgia?--an outrageous proposal! cried the Recorder. Its anguish was echoed throughout the Union press. As the reaction of the Unionists suggests, the Southern Rights party in its final immolation had severely scorched the bystanders. The "Mutual Insurance Company" and all of its many stockholders were unprepared, so shortly after their rescuing triumph, to be thrown on the defensive. Not that the triumvirate expected to remain aloof from the approaching presidential contest--far from it. But the leadership had a carefully staked out program into which the Southern Rights men had just thrust a gigantic monkey wrench.

Toombs had laid out the program in his acceptance speech to the legislature in early November: the Constitutional Union party would retain both its name and separate organization and would remain aloof from both the Whig and Democratic conventions. The party would not decide whom to support for President until after the conventions had

nominated their candidates and stated their principles. Naturally, a complete endorsement of the Compromise was a prerequisite to Union support. Only after these conditions were met would the Unionists of Georgia consider a merger with a national party. Toombs had gone on to say that he expected more cooperation from the Democrats in Washington than from the Seward-led Whigs, but if this were not the case then he would appeal to "sound" men of both organizations to form a national Union coalition.

Governor Cobb was likewise confident that the national Democrats in Washington "will do what is right." If they did not, said Cobb, "then they are the worse demented men alive." Cobb had very good reasons for wishing that the Democrats "feel the importance of striking boldly for the policy we have indicated," i.e., endorsement of the "finality" of the Compromise. He was in serious danger of having his political throat cut. For, paradoxically, at the very time Cobb occupied one of the most powerful positions in state politics, after a smashing electoral victory, his influence on the national level was sinking to zero. Hershel Johnson and his minions were busily reorganizing the Democratic party in Georgia, while at the same time Congressman Joseph Jackson, a Southern Rights man and member of the Democratic National Committee, was directing a concerted campaign to discredit Cobb with the party in Washington. Therefore, it was vital to Cobb that the Democratic party endorse the Compromise, so that the way would be eased for the Constitutional Union party of Georgia, with the governor at its head, to merge with the national party. "Dont

let these Southern rights men get the start of us there," Cobb wrote to Stephens immediately after Little Aleck's return to the capital.<sup>10</sup> It was not only advice Cobb offered--it was also a plea.

If Cobb expected Congressman Stephens to be very enthusiastic about a union with the Democratic party, he was sadly mistaken. "There is a great deal to be done here," Stephens wrote immediately upon his arrival back in Washington, "before a great many men who think themselves wise get their eyes open. The mission of the Constitutional Union party is not fulfilled yet." Two days later, before the Democratic caucus met, Stephens wrote Cobb again. Resolutions affirming the Compromise and condemning slavery agitation would be introduced at the caucus, said Stephens, and if they were voted down "there will be a 'flare up' and withdrawal. This I think would be the best possible result." Even if the caucus approved the resolutions, Stephens continued, "it will only be done with a mental reservation on the part of some and with the absence of others. . . . there is a great unsoundness with a large portion of the Northern Democrats on slavery."

The six Union congressmen from Georgia, at the insistence of Stephens and Toombs, attended neither party's caucus. On Saturday, 29 November, William H. Polk (the former President's brother) of Tennessee, introduced into the Democratic caucus a resolution declaring the Compromise the "final" and "permanent" settlement of the slavery question. After angry discussion, the resolution was tabled by a vote

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<sup>10</sup>Montgomery, Cracker Parties, 44-48; Milledgeville Southern Recorder, 2 December 1851; Rabun, "Stephens," 316; Howell Cobb to AHS, 22 November 1851, Stephens Papers, DU.

of 59 to 30. A coalition of Freesoil and Southern Rights Democrats, arguing that consideration of the subject should be postponed until the national convention, was responsible for this action. Two days later the Whig caucus did exactly the reverse: it passed resolutions affirming the Compromise as a "final" settlement.<sup>11</sup>

"What does all this mean?" a distraught Cobb asked. Matters were not going "as smoothly as we had hoped," he wrote Stephens. Indeed, the action of the Democratic caucus had dealt the Governor a severe blow, but not a fatal one. Cobb was perfectly aware that his Southern Rights enemies were behind the action of the Democratic caucus, and he was being assured by his Washington informants that "the mass of [northern] Democrats . . . are sound and more determined than ever." He was also perfectly aware that unless he moved swiftly to align the Union party with the Democrats his own political future would be hopelessly jeopardized. Howell Cobb was never a man to trifle with technicalities when his own political fortunes were involved. Caucus resolutions or not, Cobb had to make a move. "We are stationary," he told Stephens. "That wont do. Before the legislature adjourns, we must take a stance and make a decided movement."

Stephens' position was, of course, quite different. For the moment he could afford to stand in splendid isolation. The Whig party had purged both him and Toombs from its ranks, removing the latter from the Ways and Means Committee. In the elections for Speaker

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<sup>11</sup>AHS to Howell Cobb, 24, 26 November 1851, TSC Corr., 264-67; Thomas D. Harris to id., 29 November 1851, ibid., 267-68.

(won by Linn Boyd, a Kentucky Democrat) Stephens and Toombs had thrown away their votes on Junius Hillyer, one of their own. He regretted, Stephens told Cobb, that he could not vote for Boyd since his nomination had been tainted by Freesoil support.

What Stephens wanted was an absolutely pure party. As far as he was concerned "the attempt . . . to reorganize the Democratic party" was being made "without any regard to principles or the past. . . . The foulest of all coalitions is now at work--Southern Rights men and Abolitionists." He could not permit himself to believe such a coalition could possibly succeed. And it would not succeed, not if Alexander Stephens had anything to say about it. All the Union party had to do was wait, thought Stephens, wait for the inevitable dissolution of the Democratic party which was bound to occur over rivalries for the presidency. "The Whig party is dead," Stephens pronounced. "There will be no Whig convention." Its caucus resolution was but a "galvanic struggle." Stephens was actually willing to believe that the party structure was breaking down, and that the process was beginning with the Whigs. "There are a great many sound men of that party now at the North who are ready for a new movement, and in a few months many of the Democratic organizations will be ready for the same." The best course for the Union party in Georgia, therefore, Stephens advised Cobb, was "masterful inactivity."<sup>12</sup>

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<sup>12</sup>Howell Cobb to AHS, 3 December 1851, Stephens Papers, LC; George W. Jones to Howell Cobb, 7 December 1851, TSC Corr., 269-71; AHS to id., 5 December 1851, ibid., 268-69; id. to id., 8 December 1851, Cobb-Erwin-Lamar Papers, UG.

As an indication of political realities, Stephens' opinions were worthless, but they do provide an interesting insight into the character of the man. Shrewd and practiced politician that he was, Stephens could sometimes be utterly blind to the practical operations of the political system. The passage of the Compromise had been a final adjustment insofar as the great majority of Americans were concerned in 1851; and the extremists of both sides and parties, regardless of their private opinions on the "finality" of the Compromise, recognized this as a political fact of life. Moreover, like the Union itself, both national parties were intact because of the Compromise. Most men were not about to switch their party affiliations over the loss of a political battle at home. The peculiar party situation in Georgia, Mississippi, and Alabama had not changed men's basic loyalties to their party.

But Stephens believed that it had. There is no denying that Alexander Stephens was loath to contemplate any sort of affiliation with the Democrats, an aggregation he had hated and detested throughout his whole political life. But simple reluctance to join his former political enemies, no matter how deeply felt his animosity, does not fully explain Stephens' attitude towards the old parties in early 1851. In his own mind he had elevated the Union and the Compromise almost to the status of transcendent Truths ("principles" in his language). Therefore, reasoned Stephens, only the regenerate souls who acknowledged these Truths should be admitted to the Constitutional Union church. And Stephens, an elder in the true Church, could not but look upon the Democrats and the Whigs as impure, tainted organizations, unworthy of



his respect, much less his talents.

There is nothing more important [he wrote] than for the Constitutional Union Party by a firm stand to let all parties at the South and every man there know that we shall support no man who does not stand upon our Platform. . . . This is no time to conciliate the free soil vote by patching up old parties. If we can not purify the old ones we must make a new party. Indeed I am inclined to think this the better policy any how. The Scripture teaches us that "men do not put new wine into old bottles" and I think the same rule will hold as to putting new principles into old parties. It will necessarily burst them. <sup>13</sup>

Like the righteous Puritan of the seventeenth century (whom he resembled in more ways than he would have ever admitted), Stephens demanded communion only with the saved. But unlike them, Stephens never acknowledged that the regenerate were few in number. He judged men with the Puritan's intolerant severity, but, like the nineteenth century romantic he also was, he expected men to embrace the Truth so clearly and pointed out the way so plainly, he expected men to follow his lead.

In Stephens' estimation, the "small fry now at Washington" who controlled the Democratic party were behind the coalition of extremes in that party. And their object? "The spoils is all they go for," said Stephens. He expected as much of the Southern Rights men, but "I cannot believe that the country is prepared for such corruption. . . . I do not believe that the body of our people are prepared to sanction such a foul conspiracy against their rights, interests, purposes and honor." Surely the people would recognize their danger. He continued:

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<sup>13</sup>AHS to William Turner, 19 December 1851, Stephens Papers, DU.

We are now in a great crisis in our history. If the South, if Georgia, succumbs to this movement and gives in her adhesion, we are gone people. Now is the time for firmness. We must teach the tricksters that the destinies of this great country are not to be bartered away in this manner. . . . The true men must get together, and act together without any regard to past party names. The contest will be between the coalitionists and the Spoilsmen on the one hand, and the Conservatives or Constitutional Union men on the other. . . . A part of all this policy is to cut Cobb down--to get him out of position with the Democracy. He is getting too high in the estimation of some of the little jealous souls that he helped to raise to that humble position they now occupy. To sack him they will now unite with men who would have hung him and them . . . twelve months ago. . . . These mean rascals little know what is in store for them, unless I misjudge the people. . . . Georgia saved the Union last fall, and she may be the instrument in saving it again by compelling a purgation of National parties.<sup>14</sup>

As this letter clearly indicates, Stephens had accurately gauged the intentions of Cobb's Southern Rights enemies, and to a certain extent he was correct about the nature of the impending political struggle. The next presidential election, as had all previous presidential elections, would be for spoils. But Stephens had grievously erred in trusting that the people would, like him, be more concerned with preserving unsullied principles. And one of the people he seriously misjudged was the titular leader of his own party--Governor Howell Cobb.

Long before Cobb had even been elected governor, Union Democrats had urged that the party send representatives to the Baltimore Democratic convention. By January 1852 Cobb was more than ready to follow this suggestion. Georgia Southern Rights men were now calling themselves

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<sup>14</sup>AHS to LS, 10 December 1851, TSC Corr., 272-73.

"Regular" Democrats and were busily insinuating themselves into the good graces of the national party. At a Jackson Day celebration in Washington no less a Democrat than Stephen A. Douglas, who was in serious contention for the presidential nomination, in a statement aimed directly at Cobb, had urged a "united, firm, and vigilant" Democracy while scorning those who were "deceiving the people with hypocritical professions of devotion to the Union." Cobb knew he could delay no longer. Thus, on 19 January, at a state meeting of the Constitutional Unionists which was dominated by Cobb's men, the party made plans for an April convention which was to select a slate of delegates to go to Baltimore.

Stephens' reaction to the meeting was immediate and hostile. "Of course," he wrote Cobb, "you will want to know what I think of this . . . I do not like it at all." So little did he like it that he wrote two long letters outlining his opposition to the plan for publication in the Georgia press. In both these letters he assailed the action of the January meeting, reiterating his belief that "the crisis" which brought about the Union party "has not passed by." Only a national organization based upon Georgia's principles could arrest the still-existing discordant elements in the country.<sup>15</sup>

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<sup>15</sup>James F. Cooper to Howell Cobb, 5 May 1851, ibid., 233; Simpson, Cobb, 76; Montgomery, Cracker Parties, 50-51; AHS to Howell Cobb, 26 January 1852, (typescript) Cobb-Erwin-Lamar Papers, UG; AHS to David A. Reese, 7 February 1852, Milledgeville Southern Recorder, 24 February 1852; AHS to Messrs. Fisher & De Leon, 28 February 1852, ibid., 9 March 1852. For favorable comment on Stephens letters, see Rome Weekly Courier, 26 February, 11 March 1852, and Columbus Enquirer, 2 March 1852.

Even before Stephens' second letter appeared in the Georgia papers, Cobb found a pretext to make a hurried trip to the North. The governor's purposes were transparently political: on his way to New York, Cobb stopped over one day in Washington, long enough to confer with his congressional allies and renew useful acquaintances among the Democrats. A few days after Cobb left the city, Georgia representative Elijah J. Chastain read a speech (informed opinion had it that Cobb himself was the author of it) in Congress declaring that the Georgia Unionists were regular Democrats and pledging the party to send delegates to Baltimore and to abide by that convention's decision.

A few days after this speech Cobb made one of his own at Tammany Hall in New York, a speech that left no doubt about where he intended to lead his party. He would lead it back into the Democracy. "I . . . was born a democrat, cradled a democrat, and by the blessing of God, I will die one," Cobb intoned, and in a condescending bow to his Whig compatriots at home, he said: "I thank God the Democracy is large enough to admit the patriotism and magnanimity of those whigs who threw aside party prejudices when the Union was in danger and cooperated with us in preserving it intact."

If Cobb hoped that such fluff would persuade most Union Whigs to abandon the organization, he was sorely mistaken; but in fact, he probably did not. No sooner had the January meeting concluded than the Union Whigs began to express themselves as decidedly opposed to unification with the Democrats. But instead of giving pause to Cobb's followers, this reaction only hastened the process of disintegration.

"I suppose the Whigs will break off," wrote one Union Democrat, "Then . . . we must act with those who are with us. . . . Why weaken the Democratic party by divisions and strife and give over the State to the Whigs? . . . if we are to be Democrats why not be Democrats, and let past quarrels be forgotten?"<sup>16</sup>

In short, the lines of political cleavage in Georgia were fast assuming their pre-1850 configuration. Old party loyalties, nurtured, tested, and tempered in the heat of countless battles, had not been destroyed, only shelved during a period of national crisis. Now, with the national crisis seemingly at an end, most Georgians were ready to resume their traditional loyalties and do battle with their traditional enemies.

Georgia's Democrats, however, despite the deep enmity existing between the Cobb and Southern Rights factions, would find the task of reunification with the national party considerably easier than the Whigs would. In the first place, it was clear by this time that the northern Democrats were sounder on the Compromise than the Whigs. In early April, two Georgia Democrats, Junius Hillyer and James Jackson, had introduced resolutions in the House affirming the finality of the Compromise. These resolutions passed with two-thirds of the northern Democrats in support and a like percentage of northern Whigs in

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<sup>16</sup>Chastain's speech in Cong. Globe, 32d Cong., 1st sess., Appendix, 255-58; Montgomery, ibid., 53-55; Cobb's speech in New York Sun, quoted in Milledgeville Southern Recorder, 23 March 1852; William Hope Hull to Howell Cobb, 14 February 1852, TSC Corr., 281.

opposition. In the same month, on the eve of their party's convention, southerners had attempted to induce the Whig caucus to repass its December compromise resolutions. But presidential politics were overriding, and twice in as many weeks the caucus declined to do so. Upon the second failure all but thirteen southerners bolted the caucus, and Georgia Senator William C. Dawson immediately wired the Union convention in Milledgeville to avoid both the major party's conventions, to hold firm, and to call a national Union convention in Washington.

In the second place, Alexander H. Stephens, as has been noted, was unalterably opposed to dismantling the Union party, and was working assiduously to keep the crumbling thing together. Three days after Cobb's speech to the Tammany sachems, Stephens hastened home. He arrived on 18 March, ostensibly to take care of some court cases in Warren county. Stephens remained in Georgia for almost a month, during which time Union party conclaves all over middle Georgia passed resolutions against sending a delegation to Baltimore. On 22 April when the Constitutional Union convention met in Milledgeville, Stephens' confederates were strong enough to force an endorsement of his position: after pledging fealty to the Compromise, the convention adjourned.

Cobb's Democrats, however, were too far committed to turn back. On the next day, 23 April, these Union Democrats, dubbed the "Supplementals" by the state press, held their own convention. Pledging themselves to purge the Democratic party of all incendiary elements and force it to adopt the Constitutional Union platform, they proceeded to draw up a slate of delegates for Baltimore, declared themselves true

Democrats, and adopted resolutions glorifying the Compromise. At least one Union paper thought the task of cleansing the "Democratic Augean stables" would prove impossible. The Recorder's editor confidently expected the Union Democrats to return to the fold in a few weeks, and support "a real and true Constitutional candidate" with no ties to either party.

This editor, who obviously believed in miracles, failed to see exactly what was happening in Georgia politics. The Constitutional Union party was dying. The national Democrats, as recent events had made clear, were the real friends of the Compromise. Moreover, the laws of self preservation were far more compelling to most of Georgia's Democrats than allegiance to a party which had outlived its usefulness. The Regulars, the old Southern Rights party, had already, on 31 March, selected a slate of delegates for Baltimore; and even though they had passed over the Compromise in ominous silence, most Union Democrats were more ready to contemplate cooperation with these, their erstwhile enemies, to cooperation with Whigs. Distasteful as the former course might be, it was still infinitely preferable to allowing the Whigs to regain control of the state. As one Union Democrat told Cobb:

I deem it the better part of wisdom to choose the lesser of two evils. Give me, therefore, the democratic party with much soundness and little rottenness rather than the Whig party which like Sodom of old has not good men enough to save it from destruction. If therefore, you destroy the democratic National organization, or divide it you open the way for Whig success and all the rottenness of Whig rule.<sup>17</sup>

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<sup>17</sup>Cole, Whig Party in the South, 235-40; Milledgeville Southern Recorder, 13, 27 April 1852; Augusta Chronicle and Sentinel,

To Alexander Stephens, however, a "little rottenness" in either party was totally unacceptable, and in a long speech in the House on 27 April, he argued earnestly for a party organized upon the "right principle and basis." Neither of the two national parties were organized around a "principle of agreement . . . upon the paramount questions of the day," he said. And the paramount questions were the permanence of the Union, fidelity to the Compromise, and enforcement of the Fugitive Slave law. To prove his point Stephens analyzed the vote on the Jackson-Hillier Compromise resolutions that had passed the House three weeks previously. To pass these resolutions had required a coalition of seventy-four Democrats and twenty-seven Whigs, forty northerners and fifty-nine southerners. Neither Democrats nor southerners alone could have passed them. It was, therefore, said Stephens, "just as absurd and unmeaning" to speak of the House as divided between Democrats and Whigs, "as to speak of the British House of Commons, at this day, as divided between Cavaliers and Roundheads." How could parties so divided on a fundamental principle even administer the day-to-day operations of the government? Stephens asked. The "cohesive power of public plunder" might hold factions together, but "there can be no harmony, no concord in an administration thus raised to power."

He was speaking, continued Stephens, for neither party nor for his constituents--indeed, in the light of recent events, Stephens might well have wondered exactly who his constituents were. "I am here

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23 March, 9, 10, 11, 17, 21, 27 April 1852; W. C. Cohen to Howell Cobb, 29 April 1852, (typescript) Cobb-Erwin-Lamar Papers, UG.



to advocate great principles," he said. The builders of party platforms should build those platforms "on the rock of the Constitution." The people should support neither a candidate or a party which did not unequivocally support the Compromise. Southerners going to Baltimore for the national conventions, he said, should "render a great and essential service to their country" by either purging their respective parties of "Barnburners, Freesoilers, and Abolitionists" or by breaking up the old parties.

Since Stephens was discussing great principles, he veered off of his main subject to instruct the House on another "great principle, . . . the radical difference by nature between the races." The "sickly sentimentalism" of those who opposed the fugitive slave laws sprung "from a spirit at war with the works of the Creator," he said. "The African is different mentally, morally, and socially from the Anglo Saxon. . . . in the scale of creation, [he] occupies an inferior grade or place to the white man. That is his natural place." Regardless of what Stephens thought about slavery "in the abstract," this was the position he held on race. It was not an unusual position, of course; most of his northern colleagues would have agreed with it. What was unusual was that Stephens thought it necessary to drag this little sermon into a speech on political parties and constitutional principles. Compared to most congressional southerners, Stephens had always been a mild defender of slavery. But as the 1850s progressed, he began to exhibit more and more characteristics of the siege mentality that affected the entire South during the decade. He always favored the

racial justification for slavery above all others, and this speech is a good illustration of how tangled the whole subject of African slavery was getting in southern thinking. Very shortly no southern speech, on almost any subject, would be complete without a ritualistic defense of slavery. The Compromise of 1850 may have applied a temporary palliative to the country's political problems, but it had done nothing about curing a national obsession.

Stephens' speech had been heard by a large, respectfully silent crowd in the House, and a number of Georgia newspapers, all old Whig journals, assumed their natural places in heartily applauding Stephens' dogmatism.<sup>18</sup> Like Stephens, their editors seemed to believe that a Union convention would be called in Washington unless both parties were purged of their anticompromise elements. Obviously, though, if both national parties endorsed the Compromise--even without a purgation of their discordant elements--Georgia's old Whigs would be placed in a position of intolerable ambivalence.

This is exactly what happened. The national Democrats assembled on 2 June 1852. Reflecting its composition of polyglot elements--not only was the Southern Rights crowd back under the tent, but the Van Buren Barnburners of 1848 had returned too--the Democrats had a plethora of candidates for the presidency. Of these, three men: Lewis Cass, James Buchanan, and Stephen A. Douglas, all United States Senators,

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<sup>18</sup>Cong. Globe, 32d Cong., 1st sess., Appendix, 459-64; Rome Weekly Courier, 13 May 1852; Milledgeville Southern Recorder, 18 May 1852; Columbus Enquirer, 18 May 1852.

were the leading contenders. The party found it much easier to decide what to do with the two slates of delegates from Georgia (it admitted both) than to decide which candidate to select for the presidency. None of the frontrunners was able to secure the necessary two-thirds majority; and it was not until the forty-ninth ballot that the convention chose a dark horse, a man whose name had not even been introduced until the thirty-fifth ballot, Franklin Pierce of New Hampshire.

Pierce, an affable, strikingly handsome man, still four years short of his fiftieth birthday, was a man of considerable political experience. After a five-year apprenticeship in the state legislature, Pierce had served two terms in the House and one in the Senate of the United States. In the Mexican War, in accordance with a peculiar belief of the time which equated political experience and/or influence with military ability, he had received an appointment as brigadier general of volunteers. General Pierce's magnetic charm and loquacious conviviality were, in some ways, reflective of the inner man. For Franklin Pierce was at heart a timid soul, eager, almost desperate, to avoid disagreements of either the personal or political variety. These very qualities had, until now, served Pierce very well. Indeed, he was nominated largely because he, unlike the major candidates, had no powerful political enemies. Moreover, he was almost a completely unknown quantity, possessing the kind of Delphic qualities that everybody found reassuring.

After Pierce's nomination the convention drew up a platform promising "faithful execution" of the acts comprising the Compromise of 1850, including specifically the Fugitive Slave law. Both candidate

and platform were joyously hailed by Democrats throughout the country.<sup>19</sup> The exultant party, for the moment successful in patching up its slavery quarrels, confidently departed Baltimore with the smell of victory--and spoils--overpowering the odiferous aroma of bargain which lingered about the hall.

As a matter of fact, the Democratic nominee and platform were reported as being "entirely satisfactory" to both Alexander Stephens and Robert Toombs. The latter, who had been plagued with rheumatism for much of the year, had returned to Congress early in May, and in the weeks preceding the Democratic convention had repeatedly intimated that both he and Stephens would support the Democratic nominee if the Compromise was affirmed by the party. Indeed, after the nomination of Pierce, Toombs had told Cobb that the Democrats "are fully and thoroughly in line . . . & the candidate Genl. Pierce . . . is . . . without the least objection on the slavery issue." Toombs, though, evidently still envisioned some sort of cooperative action by Georgia's Union party. Since the Whigs were expected to nominate Winfield Scott without a platform, Toombs suggested that the Constitutional Unionists

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<sup>19</sup>Nevins, Ordeal, II, 6-23, 41-42. According to one Union Democrat in the Georgia delegation, Georgia's vote for Buchanan had kept the nomination from going to Douglas. The Southern Rights Democrats, almost to the man for the Little Giant, had argued vainly for the exclusion of the Supplementals from the convention. Most of the Supplementals favored Cass for the nomination. Thus, unable to agree the Georgians cast their votes for Buchanan; and even this was part of a larger southern strategy to insure the nomination of a candidate friendly to the interests of the South. James Jackson to Howell Cobb, 8 June 1852, TSC Corr., 300. See also, Roy F. Nicholls, The Democratic Machine, 1850-1854 (New York, 1923), 131-43.

wait until after the Whig convention. At that time, all the friends of Pierce--Whigs, Democrats, and fire-eaters--could endorse him at a mass meeting. This course of action, thought Toombs, would be the least likely to alienate Georgia's old line Whigs.<sup>20</sup>

But a goodly portion of Georgia's old Whigs were already alienated, and the Whig convention would alienate yet more. The bolt of the Union Democrats from the party had naturally called forth a corresponding movement by some angry Whigs. Under the prodding of the Southern Recorder and with the leadership of Senator Dawson, Whigs from sixteen Georgia counties had met in an eleventh-hour convention at Savannah on 7 June--the national Whig convention was nine days away--and had there selected a slate of delegates pledged to President Fillmore. This rump convention had also passed inevitable resolutions declaring the finality of the Compromise and lauding the Georgia Platform. Of course, Stephens and Toombs took no part in these proceedings.

Thus, Georgia was duly represented in the Whig convention which convened in Baltimore on 16 June. The once-proud party of Clay and Webster presented a dismal spectacle. Much more so than the Democrats, the slavery issue had ripped the Whigs asunder. As has been noted, the southern Whigs had failed in their attempts to get the Whig congressional caucus to endorse the Compromise. This fact made it imperative that the southerners get such a plank in the party's

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<sup>20</sup>James Jackson to Howell Cobb, supra; Thompson, Toombs, 82, 84-85; Robert Toombs to Howell Cobb, 27 May 1852; Thomas D. Harris to id., 28 May 1852, TSC Corr., 297, 298; Toombs to id., 10 June 1852, Cobb-Erwin-Lamar Papers, UG.

platform. The southern bloc was able to postpone nominations until the platform had been adopted, and after a brief struggle resolutions endorsing the Compromise and pledging its enforcement were passed. The passage of the platform resolutions, however, signaled the beginning of a protracted and bitter round of balloting for the party's presidential candidate. After fifty-three ballots the Whigs finally chose General Winfield Scott, a hero of the Mexican War, the last in a not-so-lustrous line of war hero candidates nominated by the Whigs. Until the last ballot the vast majority of the southern Whigs had voted doggedly for President Fillmore. Millard Fillmore, who, by signing the Compromise and then rigorously enforcing its fugitive slave provisions, had earned the respect and admiration of the South, was one of the few incumbent Presidents spurned by his party for renomination to the office. But Fillmore's support of the Fugitive Slave Law had made his name anathema among northern Whigs, and this numerically superior element in the party succeeded in nominating its own candidate for the presidency. A large number of old southern Whigs never considered Scott as anything but a tool of Seward and the northern freesoilers.

Stephens and Toombs certainly felt this way about Scott. Already severely burned by their experience with Taylor, they were not about to sanction support of a candidate, who, on the face of it, was even more untrustworthy than Old Zach had ever been. Two days after the nomination the Georgians telegraphed the Chronicle and Sentinel: "Scott is nominated. We do not believe he ought to be supported by the 'Constitutional Union Party' of Georgia, but we will abide by the

decision of their Convention when it assembles." When Scott's letter of acceptance was printed, southern skeptics had even more reason to distrust the General. In stark contrast to Pierce's ringing endorsement of the Compromise, Scott merely accepted his nomination "with the resolutions annexed."<sup>21</sup>

On the day Scott's acceptance letter appeared, Stephens wrote a public letter to the Georgia press. He was naturally pleased, he said, that the Chronicle had refused to endorse Scott, who had not only failed to give public approval of the Compromise, but also had been supported in the convention by the notorious freesoil wing of the Whigs. Georgians should not vote for any candidate not "openly and unequivocally in favor of the Compromise." But what should be done? As far as Stephens was concerned, the Constitutional Union party was responsible for compelling both parties to acknowledge its principles in their platforms and the Union convention, he was sure, would decide the best course to follow consistent with the honor, interests, and rights of Georgia. But, he warned, the duty of the state had still not been completely discharged. It was now imperative that "what has been acknowledged in theory shall be performed in practice." The best way to maintain Georgia's principles, argued Stephens, was to support neither of the national candidates. Unfortunately both parties were still tainted with Freesoilers in their ranks, even though majorities

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<sup>21</sup>Montgomery, Cracker Parties, 63-64; Cole, Whig Party in the South, 235-55; AHS and Robert Toombs to James W. Jones, 23 June 1852, Augusta Chronicle and Sentinel, 25 June 1852; Scott's letter of acceptance is in Washington National Intelligencer, 29 June 1852.

had endorsed the Compromise. Would either of the parties thus constituted be able to carry out its professed principles in Congress? he asked. Still chasing the will-o-the-wisp of absolute purity, Stephens went on to say that it would be one of the "best things for the country at this time" if the election should be thrown into the House. Why? Because "it would be a decisive step" towards ending "party conventions and irresponsible bodies of men who now [chose Presidents] to the entire subversion of the theory of the Constitution. And it would greatly aid in the formation of parties . . . upon legitimate and correct principles." Running an independent ticket, Stephens concluded, would be the best course to "maintain our integrity, stand by our principles, and sustain no possible loss [of] either our rights, interests, or honor."

Stephens probably would not have ever taken such a position had the Whigs nominated Webster, for whom he had an abiding regard; but it is arguable that he may have maintained his independence had the party nominated Fillmore. Actually he was not acting out of character at all in declaring his independence of national parties, in separating himself from the unprinciples schemers in the national organizations. One only has to recall Stephens' earliest days in the States Rights party--in the 1830s he had demanded absolute purity too--to see how consistent his obstinacy could be.

Not content with repudiating Scott before a Georgia audience, Stephens wrote, and with several other southern "Whigs" (ex-Whigs, actually, for few of these men had attended a Whig caucus since 1850) signed a statement published in the Intelligencer on 5 July. They



declared that they would not and could not support Scott: first, because he had refused to support the Compromise; second, because he had "permitted himself to be used by the Freesoilers" in the convention to defeat Webster and Fillmore solely because these men sustained the Compromise; and finally, because Scott was the favorite of the free-soil wing of the party, sure to be "warped" by its views. Under the circumstances, Stephens' statement appeared more than a trifle gratuitous, since none of the signers intended to support Scott anyway. The northern press delighted in ridiculing this statement of the "Whig" deserters.<sup>22</sup>

The letter to the Chronicle and the statement in the Intelligencer did little to change the minds of southern Whigs who had decided to support the party nominee. As has been noted, Senator Dawson had led a contingent of Georgia's old Whigs to Baltimore. Like most southern delegations there, the Georgians had swallowed Scott as a bitter pill once the Compromise plank in the platform had been secured. Dawson and his following, nominally members of the Union party, had returned to Georgia pledged to work for Scott's election. No letter or statement from Stephens was likely to change their minds.

This, then, was the situation of the Union party on the eve of its final meeting in Milledgeville in mid-July. The Democratic wing was united on the candidacy of Pierce, but there was still a fierce division between the Cobb Supplemental Democrats and their new "brethren,"

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<sup>22</sup>AHS to Editor of the Chronicle and Sentinel, 28 June 1852, TSC Corr., 304-06; Address of Certain Whig Representatives Against the Nomination of General Scott, 3 July 1852, Washington National Intelligencer, 5 July 1852; see hostile northern press comment on the Stephens' card in Savannah Daily News, 12 July 1852.

the Regulars, outside of the Union party. The source of this division was the slate of presidential electors which the Regulars had drawn up months before, and which they stubbornly refused to withdraw. At stake, of course, was the control of the state Democratic party and the vast amount of political patronage which, should Pierce win the election, would fall into the lap of whichever faction controlled the electoral slate.

The Whig wing of the Union party was in deplorable condition. It was divided into three more or less discernible factions. The largest of these was the Dawson wing, adamantly opposed to cooperation with Democrats in any way, shape, or form. This faction would support Winfield Scott for the presidency. (As an illustration of how tangled political allegiances had become, it should be noted that none other than John M. Berrien favored the election of Scott.) The second faction was led by Stephens and Toombs. These men favored running an independent ticket for president. On the day before the Constitutional Union convention, Stephens' organ, the Chronicle, declared its support for Daniel Webster. Finally, there was another group of Whigs led by men like Andrew J. Miller and Absalom Chappell who were ready to cooperate with the Democrats and endorse Pierce.

It should have been obvious to anyone with even a trace of realism in his nature that the Constitutional Union party--or the unruly organization it had become--would never survive its convention on 15 July. It did not. In fact, it did not survive the first day's proceedings. The Stephens-Toombs faction did manage to get a report from the Executive Committee to the floor of the convention, declaring that the Union party could endorse neither Scott nor Pierce, and

recommending that Georgia present no candidate for the presidency. But the Cobb forces had the votes, and they proceeded to set the report aside and adopt a substitute pledging the Union party to vote for the Pierce electors. The party was not to be disbanded; it was to be employed as a weapon by Cobb in his battle with the Regulars. These were precisely the circumstances under which the Stephens-Toombs faction refused to continue the party. Therefore they got up and walked out. The next day, meeting in the capitol's Senate chamber, the bolters passed resolutions endorsing Daniel Webster and Charles J. Jenkins for President and Vice President, and summoning a convention to meet in Macon on 17 August to draw up a slate of electors. The Webster faction was promptly dubbed the "Tertium Quids" by the Georgia papers.<sup>23</sup>

One reason for delaying until August the selection of a slate was the necessity of securing Webster's consent for the use of his name. Stephens' brother, John L., queried Webster by letter, to which the "god-like Daniel" discreetly refused a reply. But Little Aleck had received assurances through a Webster intimate that "a good blow" in Georgia would be followed up in other states. This assurance was enough; Webster had not refused outright to be a candidate.

But there was another reason for the mid-August Macon gathering --it was timed to coincide with a meeting of the Scott Whigs. Heartened

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<sup>23</sup>Proceedings of the convention in Augusta Constitutionalist, 20-23 July 1852. See also, Murray, Whig Party in Georgia, 166-67, and Montgomery, Cracker Parties, 68-70. Robert Toombs to Howell Cobb, 28 June 1852, Howell Cobb Papers, UG; Milledgeville Federal Union, 29 June 1852.

by the continuing split among the Democrats--and the fact that two slates of electors were in the field for Pierce--the two Whig factions were willing to attempt a strategic merger of their interests.

The complicated political jockeying in August was muddled even more by the actions of what was left of the Union party, Cobb's Supplementals. On 10 August the Executive Committee of the party formally dissolved the organization and withdrew the electoral slate it had entered on 15 July. The Address which accomplished this dissolution was promptly followed by yet another which called for a mass meeting of all Union Democrats in Atlanta on 18 September. The purpose of this meeting was to effect some sort of compromise between the divided wings of the Democrats on a Pierce electoral slate. Governor Cobb, who was of course behind these maneuvers, had been forced out into the cold by the actions of the Whigs. No longer able to count on the support of his former Whig friends, Cobb now had to become a suppliant at the door of the Regular Democratic faction. And for a time Cobb discerned hopeful signs that all would work out satisfactorily: initial reports he was receiving indicated that some degree of harmony between the Democratic factions was being restored. "There will be a regular love feast in Atlanta," he wrote happily. ". . . The future is bright."

While Cobb bubbled over the prospects of a Democratic detente, the two groups of Whigs convened separately in Macon. Evidently they made sincere efforts to reconcile their differences, but their differences were too radical to resolve and their leaders too adamant to change. Stephens remained unalterably opposed to Scott. Indeed, as he told

Linton, he would be perfectly content to see the Whigs lose. It would teach them, he said, to rally under wiser heads.<sup>24</sup>

So the Dawson and Stephens factions went their predetermined ways: the former preparing a slate of electors for Scott, and the latter naming electors for Webster and Jenkins. There were now three electoral slates entered in the race. By the time the Democrats finished their meeting in Atlanta, there would be five.

Governor Cobb's predictions of an Atlanta "love feast" turned out to be a bit premature. Although the portents of a peaceable adjustment between the Supplementals and the Regulars had been promising--four Regular electors on the Pierce ticket, including Hershel Johnson, offered to resign their places to make room for Supplemental delegates--Cobb's expectations were rudely jolted by an announcement on 7 September by the Executive Committee of the Regular Democrats that no change would be made in their electoral ticket. The most plausible explanation for this turn of events was the audacious action taken by a handful of irreconcilable Southern Rights Democrats. At a meeting in Columbus on 2 September these fire-eaters had chosen yet another slate of electors, pledged to George M. Troup, the venerable old ex-governor of Georgia, and John A. Quitman, a Mississippi radical. The entry of these avowed fire-eaters into the race had necessarily stiffened the backs of the Regulars. To have compromised with Cobb's forces would have lost the Regulars the support of their most militant followers, men

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<sup>24</sup>Dalzell, Webster, 287-88; George T. Curtis to AHS, 13 August 1852, Stephens Papers, LC; Howell Cobb to his wife, 27 August 1852, TSC Corr., 318, AHS to LS, 16 July 1852, Stephens Papers, MC; Montgomery, ibid., 72-83.

not disposed to forgive Cobb's sins of the past two years. Hence, the Regulars' refusal to cooperate with Cobb.

Quite a number of Supplemental Democrats, the governor included, were now disposed to swallow this acrid wedge of humble pie. If the humiliation of submitting to the dictation of former enemies was the price to be paid for getting back into the Democracy, many were prepared to swallow their pride and pay--many, but not all. At the meeting on 17 September (the convention began a day earlier than scheduled), an anxious group of delegates heard Judge Henry R. Jackson read the Regulars' blunt refusal to revise the electoral ticket. Resigning themselves to the inevitable, a substantial majority of the assembly then voted not to put up another electoral slate, and thus to end the two-year internecine war in the Democratic party. This vote was too much for a small band of Cherokee delegates. Utterly disgusted by the convention's "surrender," this group stalked angrily out of the hall, and the next day they drew up their own slate of electors for Pierce, the so-called "Tugalo" ticket. (The Tugalo River was located in the Cherokee counties.)

The bolt of the Tugalo Democrats brought a merciful end to the bewildering political fermentations in Georgia politics--at least for the time being. The state's voters now had five electoral slates offered for their consideration: the Whig slate for Scott, the Tertium Quid slate for Webster, the Southern Rights slate for Troup, and two slates for Pierce, the Regular and the Tugalo. One of the most important reasons that Georgia's politicians evinced such impatience

with each other was because of a provision of Georgia law requiring the legislature to decide the state's electoral vote if no candidate achieved a majority in the election. And the Georgia Assembly, it will be recalled, was controlled by the old Union party coalition. If the election were thrown into the Assembly, the possibilities of political wheeling and dealing were literally endless. In short, the election of 1852 in Georgia was a power struggle among the most influential politicians in the state. The struggle was far less over a disagreement in principle--everyone, save the most rabid Southern Righters, accepted the Compromise--than a contest for the spoils of victory, the control of the state, or, at least, a piece of that control.

Stephens' Tertium Quid movement had absolutely no chance to carry the state, but Little Aleck campaigned for Webster as if the Massachusetts statesman were a frontrunner. Throughout September and October Stephens made well over a dozen speeches, most of them in middle Georgia at familiar campaign stops like Raytown, Elberton, Lexington, Madison, and Crawfordville. But Stephens also ventured into larger cities like Macon and Atlanta. Since issues in the election were almost nonexistent, Stephens everywhere devoted the better part of his remarks to eulogizing Daniel Webster as "the greatest man of his age," and a staunch friend of the Compromise who had bravely withstood the savage attacks of Freesoilers in his own section. He generally handled Franklin Pierce gingerly, concentrating instead on the "mongrel association" which had nominated him. A Democratic victory, he said, would endanger the peaceful relations of the United States with the rest of the world

by elevating to power "the advocates of Kossuth, Intervention and Young America progress." And against Scott and the northern Whigs he reiterated all his old arguments on their "unsoundness."<sup>25</sup>

Bob Toombs could not summon up nearly the energy in behalf of Webster that his friend did. He delivered only two half-hearted speeches during the campaign, and in October he told Crittenden that politics in Georgia was "dull." But Toombs did expect the election to be decided by the Assembly. His prediction may have come true had not Daniel Webster died at his home on 24 October, ten days before the election. Actually, a "national" movement for Webster had never materialized, despite rumors in Georgia to the contrary. An old, tired, and sick Webster had followed Henry Clay, who had died four months previously, to the grave, not caring whether Georgia or Massachusetts or any other state gave him its electoral vote. The Chronicle, the leading Quid paper, nothing daunted, immediately placed the names of "Crittenden or Fillmore" on its masthead and urged Webster supporters to "stick

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<sup>25</sup>Reports of Stephens' speeches at Crawfordville and Atlanta in Augusta Chronicle and Sentinel, 2 September 1852, and Milledgeville Federal Union, 7 September 1852. Louis Kossuth was a Hungarian revolutionary who was wildly and widely acclaimed in the United States when he visited the country in the winter of 1851-52. Kossuth was a particular favorite of the younger, expansionist-minded wing of the Democracy represented by Stephen A. Douglas, the so-called "Young Democrats." Stephens had argued and voted in a fruitless effort in January 1852 to keep the House from officially receiving the Hungarian patriot. And in February he and Toombs had been the prime movers in organizing a Washington's Birthday celebration in the capital to preach moderation and restraint in foreign policy. See Cong. Globe, 32d Cong., 1st sess., 165-66, 189-90; AHS to John J. Crittenden, 17 February 1852, Crittenden Papers, DU; and Cleveland, Stephens, 352-64, for Baltimore speech on foreign policy.



by the ticket."

One of the most remarkable things about Georgia's election results in 1852 was the fact that over five thousand voters chose to follow the Chronicle's advice. The death of Webster undoubtedly helped to swell the total number of people who simply stayed at home. According to the estimate of one authority, 20,000, or fully one-half of Georgia's Whigs, stayed away from the polls. In Brunswick, according to the local paper, the polls were not even opened on election day, it being the deliberate conviction of the people there that no candidate was worthy of their support.

The apathy of Georgia's voters was readily apparent. Only 61,000 people voted in 1852, 63 percent of the 96,000 who voted the previous year. The Regular Pierce ticket obtained a clear majority: 33,888 votes. The other ticket totals were as follows: Tugalo Democrats, 5,800; Scott Whigs, 15,798; Tertium Quids, 5,302; Southern Rights Democrats, 1,026. As usual Stephens' and Toombs' middle Georgia territory had followed the lead of its idols. Four counties in middle Georgia, including Taliaferro, delivered striking majorities for Webster. Only one county in the entire state went for Scott. The election of 1852 proved beyond a shadow of doubt that the once mighty Whig party of Georgia was no more.

In fact, the election of 1852 had been the death knell of the Whigs nationwide. In the South 100,000 Whigs refused to support Scott and registered their fears and frustrations and disgust by staying home on election day. Pierce romped to a smashing popular victory in the

South and a crushing electoral triumph in the nation. He lost only four states: Kentucky and Tennessee in the South, Vermont and Massachusetts in the North. But Pierce's victory in the Electoral College, 254 votes to 42 votes, was in several respects misleading. In popular votes, for example, out of 3.1 million votes cast Pierce had a majority of slightly over 50,000. Moreover, the president-elect was actually a minority candidate in the North--14,000 more votes there were cast for others than for him.<sup>26</sup> There were still hundreds of thousands of northern men committed to free soil, and the Pierce victory had not changed their minds one jot.

During the campaign Alexander Stephens had blasted the national parties as "dead carcasses, galvanized into life to subserve the purposes of selfish and designing men." The election results, insofar as the Whigs were concerned, certainly seemed to prove the Whig party no more than a dead carcass. It is doubtful that Stephens shed many tears over the demise of the Whigs, but Toombs left no doubt about his feelings:

We can never have peace and security with Seward, Greeley and Co. in the ascendant in our national counsels, and we had better purchase them by the destruction of the Whig party than of the Union. If the Whig party is incapable of rising to the same standard of nationality as the motley crew which opposed it under the name of Democracy, it is entitled to no resurrection. It will have none.

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<sup>26</sup>Robert Toombs to John J. Crittenden, 9 October 1852, Crittenden Papers, LC; Augusta Chronicle and Sentinel, 22 September, 27 October 1852; Cole, Whig Party in the South, 273-74. Election returns in Augusta Constitutionalist, 2 December 1852.

In his usual forthright manner Toombs thus pronounced the death sentence on the party which had elevated him to power. Admittedly, Toombs was not the type that could be described as "nostalgic," but neither was he any lover of Democrats. He was hardly cheered by the prospect of a Democratic administration. Pierce, thought Toombs, was a man "without . . . qualifications, surrounded by as dishonest and dirty a lot of political gamesters as ever Catiline assembled."

And some of these political gamesters were already at work in Georgia--hard at work. The election of 1852 had been a singular triumph for the Southern Rights Democrats. Maybe some of these men were "dirty and dishonest" enough to please Catiline, but all of them possessed "that lean and hungry look" that Cassius would have found congenial. Here was a body of men who had gone down to crushing defeat two years in a row and who now found themselves atop the jumbled pile of fragments which was once Georgia's two-party system. Pierce had barely been elected when the Southern Rights men of Georgia began sending clear signals to the incoming administration: they would not submit to being ignored by Pierce in favor of the "Cobb . . . class of politicians." You owe us, went the chorus to Pierce, and now we want our share.<sup>27</sup>

Not to be overlooked in assessing the results of this baffling election in Georgia was the profound effect it had had on the Democratic

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<sup>27</sup>Rome Courier, 23 September 1852; Robert Toombs to John J. Crittenden, 15 December 1852, TSC Corr., 322; Hershel Johnson to R. M. T. Hunter, 8 November 1852, Hunter Correspondence, 151.

party: Georgia was on its way to becoming a one-party state--and the heirs of John Calhoun, not Andrew Jackson, were in control. State politics would never be the same again.

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ANTEBELLUM STATESMAN

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## CHAPTER X

### "THE GREATEST GLORY OF MY LIFE"

"If it were not for you," Stephens told Linton in May 1853, "it seems that this wide world would be a perfect waste to me. Amongst the millions that inhabit it no other congenial spirit is found with whom I can hold full communion of thoughts. And what is the world and what is life . . . without some such one--" Such expressions of endearment were common enough when Stephens sat down to write his daily letter to his beloved brother, but after February 1852 they attained a special poignancy. For in that month Linton Stephens had married and moved away from "Bachelor's Hall." Alexander Stephens was alone as he had not been alone since Linton had come of age.

Linton's bride was a young widow, Emmeline Thomas Bell, the only child of Stephens' good friend, Judge James Thomas. And as befitted the daughter of a wealthy planter, "Sister Emm," as Stephens called her, brought a handsome dowry with her: land, an imposing house, slaves, \$16,000 worth of railroad stock, plus other securities,<sup>1</sup> the management of which she dutifully transferred to her husband. Linton and Emma made their home in Sparta, in Hancock county, a four- or five-

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<sup>1</sup>AHS to LS, 28 May 1853, Stephens Papers, MC; LS to AHS, 15 December 1854, ibid.

hour buggy ride from Crawfordville. Overnight Linton attained the status of gentleman planter. The 1850s were generally kind to planters, and Linton's estate prospered. His law practice prospered too. In Sparta he formed a partnership with a young lawyer, Richard Malcolm Johnston.

Dick Johnston, who soon became one of Alexander's dearest friends, was the son of a modest planter. He had moved with his family to Crawfordville in 1831, and then, three years later, to Powelltown. Like Little Aleck, he had first taught school before becoming a lawyer. The practice of law, however, never held much attraction for Johnston. Unlike Stephens, he liked teaching, and he had a talent for writing which was later to win him some renown as a storyteller. (He also coauthored a biography of Alexander Stephens.) Johnston's partnership with Linton lasted until August 1857, when he was elected to the professorship of English Literature at the University of Georgia. Thereafter Johnston made his living as a teacher, first at the University, and then as master of his own boarding schools in Georgia and, after the war, in Baltimore.

While Johnston took care of office matters, Linton handled courtroom duties. Like his brother, Linton possessed compelling talents in the courtroom, and in legal learning he was far Alexander's superior. He had "an intrepid audacity of brain . . . a muscular vigor of logic that few men have." But, withal, he was, if anything, even more independent than his older brother, and he had a personality ill-suited to the chummy camaraderie of southern antebellum politics.

Linton Stephens was absolutely unbending in his convictions--so unbending that compromise was foreign to his nature. "He worked badly in joint harness," commented one contemporary observer, and ". . . was too uncompromising and outspoken to succeed by popular favor."

Linton was never able to command the affection of the people the way Alexander did. He always listened respectfully to the advice Alexander tendered him (the elder never outgrew his penchant for tutoring Linton), but he lost the first of his two bids for national office when he ran for Congress in 1855. The advice Stephens gave Linton on that occasion suggests the reasons Linton failed. "Get a perfect command of your temper," Alexander had warned. "Be on all occasions on the stump in good humour. . . . Do not be boistrous or too slow [in speaking] but warm, fe[r]vid, and earnest."

Linton lost this election, but he did succeed in being elected to the General Assembly on several occasions, and he also served for a time on the bench of the state Supreme Court. Alexander's confidence in Linton was not misplaced, for Linton Stephens possessed real ability. Unfortunately, this was not the case with the other Stephens brother, John L. He, too, was a lawyer--it ran in the family--but from all indications not a very successful one. His practice in LaGrange rarely provided him with enough to meet the needs of his family, so he was constantly forced to borrow money from Alexander. Generous in nature, Alexander nevertheless sometimes chafed under the constant responsibility of having to bail John out of his financial difficulties. "I am done with advice until I see some fruits," Stephens once wrote



John. "You must give me some evidence of a change in your conduct and management of your affairs--or I shall never let you have another picayune from me."

Stephens' angry threat was an empty one. He was no more able to abandon his brother than to stop giving him advice on the management of his affairs. Never able to accept the weaknesses of mankind in the same spirit with which he dispensed charity, Stephens seemed to harbor a special contempt for a brother who not only failed in his profession, but who also evinced a serious weakness for alcohol. This was a weakness John L. shared with Linton and Toombs, but in his case it was not compensated for by demonstrated ability or success in his profession. Evidently this made all the difference in Stephens' attitude towards him.

Stephens, of course, considered himself in the first rank of mankind, and with someone like John L., even though he was a blood relative, he was inclined to have very little patience. Naturally Stephens expected his family to follow his lead in politics, and in 1853, while he was still maintaining his aloofness from parties, he blistered John severely for having the temerity to consider voting for a Democrat. He would go for the party that went for him, John had written. The Whigs had never done anything for him and he thought the Democrats might. Stephens was "deeply mortified" by this news, and was little inclined, he said, ever to visit John again. "Any man who acts upon such principles I have but little use for and much less for such

a man if he holds the relation towards me that you do."<sup>2</sup> Obviously a relative of Alexander Stephens was expected to conform to the same standards he held up to himself.

"Sister Emm," Linton's wife, was one who met those standards. The mere fact that Linton had chosen her was no doubt enough for her to earn Stephens' esteem, but even apart from this, Alexander thought very highly of her. As a wife and mother, Emma had few equals, Stephens thought. "Her intelligence, refinement, good taste and gentleness, amiability and everything that gives and adds charms to womans character endear her to me as a sister not only in-law but in feeling, in sympathy and almost in blood."

But Emma's presence in his brother's life did take some getting used to. After Linton's marriage Stephens' relationship with his brother underwent a small, but definite, change. He now had to share Linton's affections with another, and for a while at least he seemed to feel himself displaced in Linton's esteem. He took to signing his letters "Alex." in place of his previous "Affectionately, Alexander H. Stephens," a more formal, yet warmer closing. And for a while, too, his letters to Linton were not as long or as frequent as before. "I am apprehensive," Stephens explained when Linton inquired about this change, "that your time pursuits and occupation will not allow you to

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<sup>2</sup>Richard M. Johnston, Autobiography of Col. Richard Malcolm Johnston (Washington, 1900), passim; I. W. Avery, The History of the State of Georgia from 1850 to 1881 . . . (New York, 1881), 33; AHS to LS, 23 June 1855, Stephens Papers, MC; AHS to John L. Stephens, 11 May 1852, Stephens Papers, EU; id. to id., 8 September 1852, 30 September 1853, Stephens Papers, DU.

take the same interest in my empty scrolls that your former 'solitude' did. . . . Other objects, other views, and other thoughts now fill your mind."

Actually, Stephens had no reason to be concerned about losing his place in Linton's favor. The affection between the two brothers was reciprocal. Linton often spoke of Alex in terms of "great tenderness and reverence."<sup>3</sup> The younger brother realized Stephens' dependence upon him, and he accepted it. The time immediately after Linton's marriage was a period of adjustment for Stephens, but it did not last long. Within a year or so, Stephens had accommodated himself to Linton's new situation, and "Sister Emm" accepted Alex as part of her family. There never was any question that Alexander approved of Linton's marriage. In fact, it was Stephens who purchased Emma's wedding ring--a beautiful nine-diamond ring he shopped for in Washington. It cost \$85 and was, said Stephens, "the most splendid thing of the kind in this city."<sup>4</sup>

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<sup>3</sup>AHS to LS, 16 January 1857, 15 May 1852, Stephens Papers, MC; R. M. Johnston to AHS, 25 July 1861, Stephens Papers, LC.

<sup>4</sup>AHS to LS, 14 January 1852, Stephens Papers, MC. Von Abele, with his bent for Freudian psychologizing, says that by Linton's marriage "a triangle had been created. Linton's love was divided, whereas his own could never be. . . . The most catastrophic thing that could happen to him would be the falling of a shadow between him and Linton; and with instinctive strength he fought to retain Linton's perfect confidence." Von Abele, Stephens, 139. The interpretation is plausible, but open to the objection that the kind of evidence Von Abele cites, Stephens' letter to Linton of 28 May 1853 quoted supra, can be found many times before Linton's marriage. See, for example, AHS to Linton, 21 April 1850. Richard Johnston, Stephens' contemporary biographer says simply that Stephens' loneliness was "made deeper" by Linton's marriage, and that "to some extent" Linton was "lost" to him. Johnston and Browne, Stephens, 269. This interpretation, I think, comes closer

The year 1853 was, so far as politics was concerned, a relatively quiet one for Stephens. He spoke in Congress only once, in early January, when he delivered a short speech on Cuba. Acquisition of that island by the United States was a favorite project of Senator Douglas and the "Young America" movement, as well as of ardent proslavery southerners who looked upon slaveholding Cuba as a potential slave state to redress the balance in the Union. The Young Americans were, in the main, Democrats, committed to a jingoistic foreign policy with territorial expansion as its keystone--and they had the full support of the newly-elected President.

One of the results of the Young America sentiment in the country was the increase of filibustering expeditions in the 1850s, expeditions of armed men, outfitted and financed in the United States, to seize by force desirable pieces of property in the Caribbean. Three such expeditions had been launched against Cuba in 1851. The first had been detected before its departure and squelched by the Federal government; but the last two had succeeded in landing troops on the island. Neither of these attempts to seize Cuba had been successful, but desire for its annexation still remained strong in some parts of the United States. Both the Taylor and Fillmore

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to the truth. Stephens did not become the point of a triangle by Linton's marriage; rather he felt himself a point outside of a circle containing Linton and his new wife. And this saddened him, rather than aroused him to fight with "instinctive strength" for Linton's confidence. There is no evidence even suggesting that Stephens ever lost Linton's perfect confidence.

administrations had been cautious in the conduct of foreign policy. The incoming Pierce administration promised to be very different.

Two months before Pierce's inauguration Stephens went on record against the acquisition of Cuba. He took a cautious position, leaving the door open for a future change of mind if circumstances warranted. Naturally he opposed filibustering, "lawless aggressions," against a peaceful neighbor. And for the moment he was even opposed to a peaceful acquisition of the island, especially since Spain was not disposed to part with it. However, he would not say he would oppose the acquisition of Cuba "under any circumstances." Policy had to depend on future contingencies. At present, though, he could discern no "desirable objects to be gained or public interests to be promoted by acquisition."

Stephens' position on the acquisition of Cuba was typically Whiggish. Considerably more illuminating, however, were his ideas on the possibility of sectional strife should Cuba be acquired "in the national interest." He feared no such thing, for the principles of the Compromise would prevent it. "The compromise, it is true, covers the territory only to which it applies," he said, "but the principle is more comprehensive and of much greater value. It is that the General Government will abstain from intermeddling with the local institutions of its Territories." And indeed, within a year Stephens would be applying the principles of the Compromise to areas not encompassed by it. Popular sovereignty had become an article of faith for him, and like many another convert to a new faith, Stephens would be utterly tenacious in upholding its principles.

It must have been clear to Stephens by this time that the possibility of a third party was, to say the least, remote. But he stubbornly continued to believe that "a new state of things is coming about." This was the only position he could take: he had no party. Reassociation with the Whigs was out of the question, and he still harbored a visceral detestation for almost anything Democratic. He was curious, however, about Franklin Pierce, so when Congress adjourned, instead of dashing directly home as was his custom, he lingered in Washington until after the inauguration.

The new President had arrived in the capital in mid-February at which time Stephens had pronounced himself "much pleased" with Pierce. But already reports were circulating that Pierce was a man who lacked a "stern nature," a man unable to withstand pressure. These reports made Stephens uneasy: "I hope for the best," he said, "but fear for the worst. I shall give him a fair trial. I shall not factiously oppose him."

Pierce's inaugural address assuaged Stephens' fears somewhat. Little Aleck was pleased that the President paid tribute to the Compromise of 1850, and he was impressed even more that Pierce had delivered the long address without notes. And upon meeting the President, Stephens was struck with the quickness of his conversation and his notable personal bearing. Pierce's simplicity, too, pleased him. The President walked the streets of Washington "just like any other man." "Upon the whole," Stephens reported, "I am better pleased with him than I expected to be."

In only one area did Stephens find any immediate cause for complaint about Pierce--the formation of the cabinet. This, Stephens said, had been "a great blunder."<sup>5</sup> Simply from the practical point of view the cabinet was unsuitable, for it contained several men of undistinguished abilities and little experience, men like: James Guthrie of Kentucky at Treasury, thirty-nine-year-old James Dobbin of North Carolina at the Navy Department, and James Campbell of Pennsylvania as Postmaster General. Only two of the seven cabinet members had any experience in an executive administrative post.

More disturbing than the mediocrity of the cabinet, especially to a staunch Unionist and friend of the Compromise, were the presence in it of known extremists. Most conspicuously out of place in the official family of a man pledged to uphold the Compromise was the new Secretary of War, Jefferson Davis of Mississippi, an outspoken fire-eater in 1850 who had opposed the Compromise tooth and nail. Dobbin, too, was identified with the Southern Righters. The southern Unionists, to be sure, had received recognition in the cabinet in the person of Guthrie; but he was an unknown, and prominent Unionists like Cobb and Foote of Mississippi had been passed over. The necessity of placating as many of the Democratic factions as possible had also dictated the appointment of Robert McClelland of Michigan, a Cass man, to the post at Interior. McClelland had warmly supported the Wilmot proviso while

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<sup>5</sup> Cong. Globe, 32d Cong., 2d sess., 192-93; John E. Lamar to Howell Cobb, 14 February 1853, TSC Corr., 324-25; AHS to James Thomas, 23 February 1853, Stephens Papers, LC; AHS to LS, 8 March 1853, ibid. MC.

in Congress, although he had supported the Compromise of 1850. In making his appointments Pierce disregarded a man's past principles. All that he required was that an appointee promise to abide by the Compromise.

This was a charitable policy perhaps, but not a very wise one; for it merely exacerbated the bitter divisions in the Democratic party at the state and local levels. Men who had stood the heat of furious battle in 1850 were now being forced to witness the elevation of their enemies. Pierce's deliberate course of attempting to reconcile all the divisions in the party necessarily required the appointment of numerous freesoilers and Southern Rights Democrats to various offices. But instead of healing party wounds, Pierce's policy only made them worse.

The situation in Georgia is a good case in point. The two wings of the Georgia Democracy were still separated by a great gulf of bitterness. Cobb had been spurned by the new administration, much to his mortification and chagrin. The governor realized that he had no choice now but the degrading course of continuing his penance until the Southern Rights Democrats deigned to admit him once more into full membership in the party. For the rest of the decade Howell Cobb would be forced to fight for his political survival, not against the Whigs, but against the extremists of his own party, most of whom would never forget or forgive Cobb's renegade course of 1850-52.

Accordingly, Cobb decided not to seek reelection as governor, and in a public letter in March 1853, he declared a reorganization of



the Union party impracticable and expressed the pious hope that the two wings of the Georgia Democracy would soon enjoy a peaceful reconciliation. As a result, Georgia's party structure soon fell rapidly into its pre-1850 configuration.

Cobb's letter was an unmistakeable signal to his followers to make their peace with the Southern Rights men and rejoin the Democracy. But not all Tugalo Democrats were as willing as the governor to affiliate with "secessionists." One of these men was Hopkins Holsey, once Cobb's good friend and editor of the Southern Banner. Holsey would not be reconciled, and he blasted the governor in a biting editorial on 5 May. Cobb's position, wrote the angry editor, was "totally repugnant." Holsey's outrage was his parting shot. Within a week of the editorial he resigned his post as editor of the Banner. The Tugalo Democrats, the staunchest of Union-loving Democrats, were now not only powerless, but voiceless as well.<sup>6</sup>

Cobb's full-fledged return to the Democrats was actuated by expediency. The governor, in spite of the obstacles he realized were before him, had his eye on the Senate seat to be filled by the next legislature. Georgia's Union Whigs, however, had no future at all except in continuing opposition to their traditional foes; hence they called a convention to meet in the last week of June to nominate

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<sup>6</sup>Nichols, The Democratic Machine, 169-86; Howell Cobb to AHS, 25 February 1853, Stephens Papers, LC; id. to John [B. Lamar?], 23 February 1853, Autograph Letters of the Signers of the Constitution of the Confederate States, DU; id. to Thomas Morris, 21 March 1853, Augusta Chronicle and Sentinel, 11 April 1853; Montgomery, Cracker Parties, 97-98.

a candidate for governor. They had some difficulty deciding just what to call themselves, however: Conservatives, Constitutional Unionists, or Conservative Union Whigs were all names suggested at one time or another. (Eventually the Democrats tired of word games and simply called the opposition "Whigs.")

Alexander Stephens did not particularly care by what name the opposition was called. "Parties are not . . . judged by [their] names," he said in a Crawfordville speech on 6 June, rather "by their acts, . . . policy, . . . measures, and . . . men." If supporting the Georgia Platform and opposing those arrayed against it, "will . . . make us Whigs, then we . . . have reason to be proud of the distinction," he declared. Stephens' speech delighted his home town audience, and they promptly appointed him a delegate to the upcoming Milledgeville convention.

Taliaferro county almost lost its delegate, and Stephens almost lost his life on the next night. On his way to Columbus to defend an accused murderer, the railroad car in which he was riding struck two cows and derailed, plunging down a fifteen foot embankment and smashing to pieces. Stephens sustained a broken right arm, head lacerations, and a severely bruised left shoulder. One passenger was killed. For a short while Stephens was unconscious, and it was reported (probably erroneously) that he was delirious. Both his brothers rushed to be with him, but Macon was only two miles down the line, and he received prompt medical attention there. His injuries were painful, but not serious, and within a week he was up and hobbling about. When the Whig convention

met in Milledgeville on 22 June the delegate from Taliaferro was present, his head bandaged and his arm in a sling.<sup>7</sup>

The convention was largely a group of Stephens' and Toombs' supporters, with a scattering of unrepentant old Union Democrats also in attendance. Styling themselves "Conservatives" and "the Republican men of Georgia," they invited men of all parties to join them. As chairman of the executive committee Bob Toombs ran the convention, and the resolutions from his committee reflected his and Stephens' ideas. They contained, of course, ritual genuflection to the Georgia Platform and claimed its maintenance of far more importance than the success of national parties. Isolation in foreign policy was endorsed, and the policies of both national parties were condemned without partiality. Both were censured for their financial profligacy; the Pierce administration was taken severely to task for having appointed freesoilers and abolitionists to office; and the Whigs were raked for their ideas on cession of public lands to the states and distribution of proceeds. In so acting the convention cut itself completely free from any taint of national Whiggery. Moreover, no Scott Whig received any nomination of significance throughout the state. On the first ballot Charles J. Jenkins, the author of the Georgia Platform, was nominated for governor. In short, the opposition to Democracy was a Stephens-Toombs centerpiece.

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<sup>7</sup>Augusta Chronicle and Sentinel, 8, 10 June 1853; Milledgeville Southern Recorder, 14 June 1853.

The Democrats nominated Hershel V. Johnson for governor. There then ensued one of the strangest and certainly one of the quietest gubernatorial campaigns in Georgia's antebellum history. For part of the campaign Jenkins and Johnson travelled, ate, and roomed together. In the best traditions of gentlemanly behavior, said Johnson, "we conducted our discussions in perfect good temper and with studious courtesy."

The Whig press trotted out all its old shopworn charges of secessionism against Johnson, but the issue had been worn rather thin by the summer of 1853. However, it still was potent enough in Cherokee Georgia to cause the Democrats some concern. C. J. Jenkins, the soul of urbanity and grace, was a powerful opponent, not only because of his connection with the revered Georgia Platform, but also because as a state legislator he had been active in promoting the state-owned Western and Atlantic Railroad. Completed from Atlanta to the Tennessee River in 1851, this railroad was highly popular among the north Georgia woolhats. And Jenkins was an energetic campaigner. His personal appeal, combined with his assaults on the Pierce administration's patronage policies, were proving to be powerful weapons in north Georgia.

To counter Jenkin's inroads there, the Democrats wheeled out one of their biggest guns--Governor Cobb. It was not without some soul-searching that Cobb decided to take the stump for Johnson--for such a course could only further tarnish his already besmirched image among the old Union party stalwarts. But Cobb could hardly deny the

call of his party, so he took the stump in September, canvassing the Fifth and Sixth districts. He denied, of course, that the Pierce administration had abandoned the true Union position. The very same principles for which he had bolted the party in 1850-52, said Cobb, were now those of the administration.

Evidently this facile reasoning was convincing to some of Cobb's old constituents. In the end it was probably Cobb's intervention that saved the governorship for the Democrats; for the election, although dull by previous standards, drew out a large number of voters. Over 95,000 Georgians cast their ballots in 1853, and a mere 510 votes separated the two candidates for governor. The Democrats also won a substantial majority in the General Assembly and carried six of the eight congressional districts.<sup>8</sup>

They lost the Eighth district, of course. Stephens easily defeated his opponent 5,634 votes to 2,444 votes. Little Aleck, still nursing his train wreck injuries, did not even take to the hustings until September, and even then he appears to have made only about half a dozen speeches. Stephens, still intent on maintaining the state organization apart from national parties, harped on the patronage policies of Pierce as proof of the administration's untrustworthiness. As a prime example of the administration's folly Stephens pointed to the appointment of John A. Dix of New York, a Barnburner bolter of

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<sup>8</sup>Augusta Constitutionalist, 25, 26 June 1853; Augusta Chronicle and Sentinel, 22 June, 10 August, 21 September 1853; Milledgeville Southern Recorder, 5 July 1853; Montgomery, Cracker Parties, 100-16; Murray, Whig Party in Georgia, 171-75; Flippin, Hershel Johnson, 55.

1848, as minister to France. (Stephens was misinformed. Dix was considered for the diplomatic post but was actually appointed Assistant Secretary of the Treasury.)

The charge made no impression whatever on the Democrats. So disingenuous had they become that the Democrats did not even try to deny that Dix was a freesoiler, but instead now drew a distinction between a freesoiler and an abolitionist, a distinction no Democrat had ever before admitted--nor ever would again once the freesoilers banded together to form the Republican party. The Federal Union calmly acknowledged Dix to be a freesoiler, that is, opposed to the extension of slavery. But the editor went on to ask if the Whigs feared only Democratic freesoilers. Webster and Fillmore were both freesoilers; indeed, Fillmore was even worse, an abolitionist. Recalling for the umpteenth time Stephens' speech on Texas in 1845 ("I am no defender of slavery in the abstract."), the editor concluded with a most amazing charge: "Mr. Stephens . . . is every whit as bad a freesoiler as Mr. Dix of New York."<sup>9</sup> The campaign in Georgia may have lacked real issues, but it certainly had no shortage of partisan claptrap.

Stephens had more important things than ridiculous Democratic charges to worry about. He spent the rest of November at home writing letters of political advice to Linton (who had been elected to the Assembly from Hancock), and preparing a new will. This last task

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<sup>9</sup>AHS to LS, 24 July, 15 September 1853, Stephens Papers, MC; Augusta Constitutionalist, 27 August, 2, 17 September 1853; Milledgeville Federal Union, 6, 27 September 1853; Milledgeville Southern Recorder, 15 November 1853, has the official election returns.

brought in its train a host of melancholy reflections to Stephens: the death of his brother Aaron, for example, and what fate might lie in store for his black family should he himself die. Stephens was most explicit about the disposal of his slave property. His slaves were to pass only into Linton's hands or into the hands of his children (by this time Linton had one daughter and his wife was pregnant once again). If Linton were to die before him--a prospect Stephens contemplated with unspeakable horror--or if none of his children were of age, then, Stephens instructed, his slaves were to be sent to Liberia rather "than that they should . . . fall into strange and to them unknown hands." Under no circumstances were his slaves to be given to John L. Linton was to see to it that John's children were educated, but that was all. And Linton was to see to the care of Rio, his dog.

Rio was, in fact, one of the most beloved members of Stephens' household, a large, silken-haired white Spanish poodle, a gift from a Maryland admirer to Stephens in 1850. Stephens always had three or four dogs about the place, but Rio far surpassed the others in his affection. He loved the animal greatly. When Stephens was home the dog was his constant companion, following his master on the long walks to the graveyard or through the orchards, lying faithfully at his feet at home, sleeping at the foot of his bed at night. Rio's touching loyalty to Stephens was matched by his intelligence. The dog was able, when commanded, to close doors or fetch hat, cane, or umbrella. Rio always had the place of honor on the buggy seat next

to Stephens on travels about the county. The less favored hounds trotted along on foot.

When Stephens was away in Washington or travelling about the state, Rio stayed in Sparta with Linton. The dog, after one or two times riding with Linton to the depot, soon learned to expect his master's arrival on the train. After this he would meet the trains and conduct a search of the cars for Stephens if his master failed to alight. All the conductors on the line knew Rio, and they would hold the train until the search was completed. If Stephens happened to drive up while Rio was in the house, a simple "Rio, Mas' Aleck's here" from one of the Negroes would send the dog bounding with joyous barking down the steps and into Stephens' arms. Rio's frenzied barks of welcome always announced to the entire village that Little Aleck was back home.

Stephens repaid the dog's affection in full measure. "A great dog," he would say, "a great dog!" His letters to Linton were filled with tales of the animal's intelligence, and when he was away, with remembrances and messages of love to the dog. Whether Linton delivered these messages is not known, but Stephens was convinced that the dog understood household conversation. When Rio finally died of old age in 1863, his master, with copious tears, had him buried in a box in the northwest corner of the backyard. His grave may still be seen today, marked by a pile of stones and a bronze marker which reads:

Here rest the remains  
Of what, in life, was a satire on the human race  
And an honor to his own--  
A faithful dog.<sup>10</sup>

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<sup>10</sup>AHS to LS, 3, 20 November 1853, Stephens Papers, MC; ibid.,



As Stephens prepared to depart for Washington, the General Assembly set about electing a United States Senator. Both Stephens and Toombs were present to see how the election turned out. A hopeful Howell Cobb soon received another lesson on the present perils of past heterodoxy. After seven ballots the Democratic caucus nominated ex-governor Charles McDonald, a fire-eater and former president of the Nashville Convention, for senator. Hatred for Cobb, despite his services in the election and his public penances, still burned fiercely in the hearts of Southern Rights Democrats.

But McDonald was just as unpalatable to the Union Democrats, and they remained unmoved by Cobb's personal pleas for party unity. Therefore they joined the solid bloc of Whigs (under the able lead of Linton Stephens and Andrew J. Miller) in the Senate to rescind the resolution to elect a senator. Stephens and Toombs had both returned to Washington before the Assembly was able to unsnarl itself. Eventually, to secure any election at all, the Democratic caucus was forced to release its members from their pledge to McDonald. Cobb's friends once again made frenzied efforts to secure his election, but to no avail. In January 1854 Alfred L. Iverson, a former one-term Congressman, a Southern Rights man from the fire-eating town of Columbus, was elected to the Senate, chosen not because he possessed outstanding qualifications, but rather because he barred Cobb's advancement.

"Cobb poor fellow! is down, down!" clucked Stephens after

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29 November 1853, LC. On Rio, see Johnston and Browne, Stephens, 261-62, and Rabun, "Stephens," 341-42.

Cobb's first defeat. "Never did men rejoice more over the downfall of a fellow mortal man than the Southern Rights men do over his overthrow." Stephens did not so much regret Cobb's defeat--he preferred the reelection of Whig Senator Dawson--as the fact that his warnings to him about the treachery of his old Democratic allies had gone unheeded. "Cobb has done his friends and allies of 1850 & 1851 infinite mischief. But I am sorry for him. His course I believe was the result of a blunder of the head rather than an error of the heart." Of course, Stephens had little use for Iverson. "So the mountain that was in labour so long has brought forth a mouse," he commented acidly in January. "I am sorry for Dawson."<sup>11</sup>

Given the state of his health, Stephens might as well have felt sorry for himself. He was ill, very ill, and had been so since the second week in December. The present bout of sickness, which was to confine him to his bed for two months, was a flareup of some old complaints: high fever, coughing, chest congestion, and vomiting. The doctor, whom Stephens reluctantly agreed to see at the urging of one of his messmates, diagnosed the illness as "vascular bronchitis" and prescribed iron and cod liver oil. Stephens, however, was convinced that he suffered from "catarrhal fever"; and he, not unlike thousands of others who have suffered the vile stuff, loathed cod liver oil. He consented to take the iron and some homemade cough syrup cooked up

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<sup>11</sup>Rabun, "Stephens," 350-52; Montgomery, Cracker Parties, 120-21; AHS to LS, 4 December 1853, 25 January 1854, Stephens Papers, MC.

by an old lady in Washington, but absolutely refused to follow the balance of the doctor's orders.

Stephens, although sick countless times, never had much use for doctors. He always had more respect for his own medical skills. "My doctor today says I am better," he told Linton irritably on 4 January, "but my own opinion is that the doctor knows really but little about it. I do not think I am better at all except temporarily. . . . Doctors know very little about any affliction [sic] of the lungs." Stephens was right--at least about his "temporary" recovery. It was not until 10 February that he was able to leave his room. During the latter part of January his chest ailment was complicated by what appears to have been a serious attack of colitis.<sup>12</sup>

While he was confined to bed, Stephens had ample time for reading, reflection, and writing. Not surprisingly, he thought a good deal about death, "a subject that ought to engage all rational minds," he said. The prospect of dying did not frighten him at all. "Life has but little in it to me worth living for," he told Linton. "But for you and a few others that I should dislike to leave it seems to me . . . that I should have no great repugnance to go hence."<sup>13</sup>

No doubt one of the persons Stephens would not have particularly regretted leaving was his brother John. The hapless John had just been beaten in an election for judge. The result had not surprised Stephens,

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<sup>12</sup>AHS to LS, 22, 25, 31 December 1853, 3, 4, 5, 11 January 1854, Stephens Papers, MC.

<sup>13</sup>Ibid., 30 January 1854.

but John's reaction to it had. Instead of blaming his defeat on his own defects of character, which were evident enough to Alex, John L. had attributed it to the corruption and rascality of the people. Now this was a subject that Stephens had often reflected upon, but hearing about it from John only aroused his contempt. It was obvious to Stephens that his brother's own defects of character had been responsible for his defeat, and he proceeded to deliver John a scathing lecture on the subject of running for office. He had never thought John had a chance in the election anyway, Stephens wrote. "You have no turn for winning the confidence of the people." His defeat was his own fault, and he hoped John would learn from it and move to make improvements in his character. Never again seek the office, Stephens admonished, let it seek him. Assuming his most pedantic manner, Stephens continued:

The world treats a man very much after the fashion that a man treats it. . . . A man is unpopular not because the people are corrupt--or rascals or knaves--but because the people do not take to the man. There is something about him they dont like. Party may sometime and often does defeat men without such reasons. . . . There is no greater mistake with poor frail mortals than to take up an idea that those who do not support them at elections are rascals, cheats, knaves, scoundrals &c--this is a great mistake. There may be some such. But the great majority of men are influenced by honest motives. Some have prejudices that they are not conscious of, but they act from what they conceive to be honest motives.<sup>14</sup>

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<sup>14</sup>AHS to John L. Stephens, 9 January 1854, ibid., DU. Stephens' impatience with his brother may be partially attributable to the state of John's finances. At the end of 1853, he was carrying \$4,000 worth of outstanding debts. So desperate had his financial condition become that Stephens advised him to sell his house and lot in LaGrange and move to another area. John followed Alexander's advice, and in

This is a most interesting letter. Not because of the egotism and condescension it reveals in Stephens--this was habitual, but for the glimpse it affords of his thoughts on men as voters, and more specifically on the character of American democracy. Like the good Whig he never ceased to be, the believer in a natural aristocracy and moral graduation among men, he naturally expected the office to seek out the best men. But Stephens, as this letter makes clear, also had a democrat's undying faith in the basic honesty and purity of motive in the masses, a bedrock shibboleth of nineteenth century America. Properly led and instructed, he believed, the people could always be relied upon to select good leaders, leaders, it went without saying, like himself.

It was only natural, then, that the people in their collective wisdom would spurn a candidate like John L. Stephens, in Stephens' opinion one of the poorest and frailest of mortals. But Stephens was often forced to confront a massive contradiction in his thought: these very same people, as often as not, selected bad leaders, allowed themselves to be duped by selfish, designing men or by fanatics like abolitionists or southern radicals. He was never really able to resolve this contradiction. He was never able to understand that the great bulk of mankind did not share, and did not care to share, his own lofty standards. They were not, like him, "look[ing] much more after

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February 1854 was in possession of \$2,800, half the proceeds of the sale, and more money than he had ever had in his life at one time. John and his family were moving to Newnan, Georgia, where, Stephens feared, he would squander the money. AHS to LS, 27 February 1854, Stephens Papers, MC.

the inner man than the outward,"<sup>15</sup> not looking more to actual purity and uprightness in thought and action than to the appearance of being upright and pure. Despite all evidence to the contrary--and many a mournful hour spent musing on mankind's frailties--Alexander Stephens consistently expected the best of men. And whenever they failed him, whenever they acted like the "poor frail mortals" they were, he could not understand it, or accept it. So he blamed them, just like he blamed his brother, simply for being human. It was a fault he shared with them in abundance.

Stephens was not well, but staying in his room did have some compensations. He had many callers, and, as he told Linton, "I have a fine time to read, write, and reflect, and I do not know that I lose anything being out of the House. Everything there is very dull." A week later, perhaps remembering the round of parties he was enjoying three years ago at this time, he wrote again: "Washington is dull, dull, dull. . . . There are no parties, no gaiety. . . . I see from the papers that everything is as dull as a whittling crowd before some village grocery."<sup>16</sup>

Stephens wrote these words on 11 January, eight days after Stephens A. Douglas introduced into the Senate a bill to organize the territory of Nebraska. This bill was destined to raise a storm the likes of which the country had never witnessed before. Congress was going to be anything but dull for the next four months.

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<sup>15</sup>AHS to John L. Stephens, supra.

<sup>16</sup>AHS to LS, 5, 11 January 1854, Stephens Papers, MC.

The only part of the nation's territory which still remained unorganized, that is, without a territorial government, was this vast region west of the Mississippi River and east of the Rocky Mountains, roughly the area known today as the Corn Belt or the Upper Great Plains. Organization of Nebraska had long been one of Douglas' pet projects. Since before the Mexican War he and others had been attempting, without success, to get Congress to agree on some territorial setup for the area. Douglas himself, then a congressman, had introduced a bill in the House in 1844 to accomplish this; the bill had failed. His latest attempt to provide a government for Nebraska had been in the short session of 1852-53. A Nebraska bill had passed the House but was tabled in the Senate by the votes of southern Senators. Only two slave state Senators, both from Missouri, had joined Douglas in voting to take up the bill.

Behind the drive to organize the territory was the irresistible tide of American expansionism. Already a small trickle of intrepid pioneers was flowing out onto the plains. Obviously the area and its settlers would require government shortly. But entwined with the tide of settlement was an even larger question: that of communications with the Pacific coast. In the 1850s communications invariably meant railroads and the telegraph. For almost a decade the question of a Pacific railroad had been gaining a steady momentum, both in Congress and out of it. The glittering prospect of a transcontinental railroad had entranced countless Americans: dreamers, hucksters, businessmen, and lawmakers at every level of government. And the prospect of the immeasurable prosperity which would accrue to cities and towns along the

route of such a railroad had naturally engendered intense rivalry among prospective terminals in the Mississippi Valley--cities like St. Louis, Memphis, and New Orleans.

Not least among the cities hoping to benefit from the Pacific railroad was Chicago, a bustling metropolis strategically located at the foot of Lake Michigan athwart lines of trade radiating to every point of the compass. And not least among the proponents of the Chicago terminus was Douglas, himself a resident of the city, an outspoken and eloquent advocate for the interests of the great Northwest, and, incidentally, a man who stood to gain financially (by virtue of land investments about Chicago and at the western end of Lake Superior) from a Pacific railroad which followed a central or northern route across the continent.

The central route was only one of several that had been brought forward by various promoters. Above this proposed Chicago (or St. Louis)-San Francisco route, a line from St. Paul to the Pacific northwest was envisioned; and below it, two more possible routes were being advocated, one terminating in Memphis, and the other running from New Orleans to San Diego. The Pierce administration, it was known, favored the southernmost of these routes. Secretary of War Davis was strongly behind it; in fact, the administration had, in 1853, through the agency of minister to Mexico James Gadsden, negotiated the purchase of a strip of land south of the Gila River through which such a road might run.

Congress had been no more successful in passing a Pacific railroad bill than it had been in organizing Nebraska. True, Congress had considered such a bill in 1852-53, but for a variety of reasons, it had



taken no action. The basic reason for the deadlock was sectional. Neither section was willing to grant the Pacific route to the other. The southern route, since it would traverse Texas and the organized territory of New Mexico, possessed the most obvious advantage; but a bill leaving the decision of the route up to the President had been amended by friends of other routes so as to prohibit any use of federal money for a railroad through an existing state. Ostensibly the constitutional scruples of northern men, like Senator Cass, for example, were behind this amendment; but the South, so persnickety on constitutional details when internal improvements for the northwest were being considered, immediately recognized the ploy--and therefore withdrew its support of the measure.<sup>17</sup> Only one route, or so everyone believed, could possibly be financed. So the bill failed, and the Pacific railroad question was still hanging fire in January 1854.

It was against this background of failure--failure to organize Nebraska or provide for a Pacific railroad--that Douglas, as chairman of the Senate Committee on the Territories, framed his Nebraska bill. Douglas did not have an easy task. To get his cherished central route for the railroad, Nebraska would have to be organized. But to get Nebraska organized Douglas would have to entice southern support--the opposition of powerful eastern antirailroad interests he took for granted.

How was Douglas to secure the necessary southern support?

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<sup>17</sup>Potter, Impending Crisis, 145-56; Nevins, House Dividing, 82-87.

Obviously, he would have to sell his Nebraska bill to the most influential slave state senators. And one of these men was a friend of his, Senator David Atchison of Missouri. During the previous session, Atchison had voted with Douglas in the futile attempt to secure consideration of the bill to organize Nebraska. At the time Atchison had expressed strong regrets that, by reason of the Missouri Compromise, the new territory would be barred to slaveholders; but, as a western man rather than as a southern man, Atchison had lent his support to the bill.

But in December 1853 Senator Atchison had changed his mind about Nebraska. For during the summer and fall he had begun his campaign for reelection to the Senate against Thomas Hart Benton, a veteran of thirty years in the upper house whom the Atchison forces had ousted in 1851. The two men were bitter political enemies, and Benton's summer onslaught had forced Atchison to declare that he would not support any bill to organize Nebraska that would turn the territory over to freesoilers.

Senator Atchison, president pro tem of the Senate, had a number of powerful southern friends there. In fact, he shared a mess with three of them: Senators James Mason and R. M. T. Hunter of Virginia, and Andrew Butler of South Carolina. Douglas had to have the support of these men to pass his Nebraska bill, but Atchison had a price--and the price was removal of the slavery restriction in the new territory.

The entire territory of Nebraska lay above the line of 36°30', an area closed to slaveholders by the Missouri Compromise. Douglas was

loathe to tamper directly with this legislation, which had been on the statute books since 1820, but Atchison had stated his price, and Douglas resolved to pay it, albeit as niggardly as possible.

The way Douglas handled the prickly slavery problem in his bill was to apply to Nebraska the same language that had been used in the Compromise of 1850; upon admission to the Union the state or states formed out of the territory would be received "with or without slavery, as their constitution may prescribe at the time of admission." This language was a concession to the South, but a small one; it allowed settlers to chose slavery at the time of becoming a state, but by the provisions of the Missouri Compromise no slaveholding settlers would be allowed into the area during its territorial stage. This was bogus currency, and the southerners would not accept it. Therefore they put immediate pressure on Douglas to make his bill more explicit. So Douglas coughed up a few more coins.

On 10 January the Washington Union printed a twenty-first section of the bill, which, it claimed, had been inadvertently omitted in its edition of 7 January through "clerical error." The new section stated that "all questions pertaining to slavery in the Territories, and in the new states to be formed therefrom are to be left to the people residing therein."<sup>18</sup> In other words, the principle of popular

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<sup>18</sup>James C. Malin, The Nebraska Question (Lawrence, Kan., 1953), 138; Robert W. Johannsen, Stephen A. Douglas (New York, 1973), 405-08. The language of the bill is quoted in Potter, ibid., 158-59. There has been extended discussion on the "clerical error" which omitted the twenty-first section of the bill, and whether this new section materially altered the meaning of the original bill. The case for Douglas is most cogently presented by Johannsen, who states, 408, that the new

sovereignty was incorporated into the bill, and the Missouri Compromise, at least implicitly, was repealed.

But even this addition did not satisfy all the southerners. On 16 January, Whig Senator Archibald Dixon of Kentucky, heir to Clay's old seat and a large slaveholder, offered an amendment explicitly repealing the Missouri Compromise. The following day abolitionist senator Charles Sumner of Massachusetts offered his own amendment affirming the Missouri line. Douglas was now on the spot. The question of repeal was now out in the open. Douglas would have to confront it. There was no other way. Dixon's move had shaken his southern Democratic supporters, who, above all else, could not let the Whigs of the South appear more devoted to southern interests than they were. The pressure

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section "merely repeated the points made in Douglas' report and recapitulated provisions that were already in the bill. In doing so it gave them added emphasis." Nichols concurs, see Roy F. Nichols, Blueprints for Leviathan: American Style (New York, 1963), 289. Nevins, Ordeal, II, 95, and Gerald M. Capers, Stephen A. Douglas: Defender of the Union (Boston and Toronto, 1959), 95, both argue that the section was added by Douglas in response to southern pressure and gave the bill an entirely new meaning, a view which Potter, ibid., accepts. Both arguments have merit. On the one hand, the fact that the new section repeated almost verbatim the words of Douglas' report indicates that Douglas intended to incorporate popular sovereignty into the bill from the first. On the other hand, the fact that the original bill omitted anything about the status of slavery during the territorial stage indicates that the new section was indeed forced upon Douglas by southerners intent on an abrogation of the Missouri Compromise. I think it is clear that Douglas was most reluctant to deal with the Missouri Compromise repeal directly, and was only brought to support outright repeal in stages, one of which was this twenty-first section. Whether or not this section gave the bill entirely new meaning is a question that cannot be answered since it is a determination that the courts would have had to make.

on Douglas for outright repeal of the Missouri restriction quickened.

Events moved swiftly to a climax. The Little Giant now committed himself to an overt repeal of the Missouri Compromise. Conferences with Dixon and the members of Atchison's mess had persuaded him that his Nebraska bill was doomed without this concession. Douglas was anything but irresolute, but even he was unwilling to travel this road alone. The endorsement of the administration was required, and a formula less graphic than Dixon's had to be devised. Both of these problems were surmounted at a hastily called conference at the White House on Sunday, 22 January--speed was essential for the Senate was scheduled to take up the Nebraska bill the next day. Present at the conference were Pierce, Douglas, secretary of War Davis, Atchison, Hunter, and several others. The President was no more anxious than Douglas for outright repeal, but was even less able to withstand pressure. Reluctantly Pierce consented to the scheme, and put his assent in writing. The President himself helped draw up the new formula: a statement to be added to the bill declaring that the Missouri Compromise had been "superceded" by the principles of the Compromise of 1850 and was therefore "inoperative." The Nebraska bill had now become an administration measure and a test of Democratic orthodoxy.<sup>19</sup> This last feature greatly pleased the southern Democrats, who were sorely tried

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<sup>19</sup>Johannsen, *ibid.*, 409-15. The administration had prepared a mildly worded repeal amendment of its own, which, though accepted by Douglas, was spurned by the Atchison group. On this and the details of the White House conference on the twenty-second, see Nichols, *Pierce*, 321-23.

by the promiscuous liberality with which northern freesoilers had been rewarded by the administration. The new bill, in the southerners' eyes, would separate the wheat from the chaff, the true supporters of the Compromise principles of 1850 from those who simply paid them lip service.

The bill that Douglas brought forward on 23 January was substantially different from his earlier Nebraska bill. The territory, so as to present a similarity to the older compromise and the appearance of an equitable division, was now divided into two parts: Kansas, to the west of Missouri, and Nebraska, the rest of the area. And the bill now declared the Missouri Compromise "inoperative" in both of the territories.

Douglas himself had predicted that the repeal of the Missouri Compromise would "raise a hell of a storm," but even he was unprepared for the furious reception his Nebraska bill received in the North. This reaction was foreshadowed in a long and bitingly-phrased diatribe against the bill that appeared on 24 January in the capital's abolitionist paper, the National Era. Signed by Salmon Chase, Sumner, Giddings, Gerrit Smith and two other men well known for their abolitionist views, the "Appeal of the Independent Democrats in Congress to the People of the United States" arraigned the Nebraska bill as a "gross violation of a sacred pledge . . . a criminal betrayal of precious rights. . . an atrocious plot to exclude from [Nebraska] : . . free laborers from our own States, and convert it into a dreary region of despotism, inhabited by masters and slaves." Moreover, charged the

"Appeal," passage of the bill would doom chances for both a Pacific railroad bill and a homestead bill.

Not content with denouncing the bill, the Independent Democrats also flayed its author, accusing him of truckling to the South to further his presidential ambitions, numbering him among the "servile demagogues" ministering to the "slavery despotism." The "Appeal" was, in the main, nothing more than abolitionist propaganda of the sort which antislavery radicals had been dispensing for years. As such it was grossly exaggerated, factually inaccurate, and calculated to enflame emotions rather than logically persuade. But it was effective and devastating propaganda, nevertheless. Not only because it was so widely circulated--it was printed in every major northern newspaper and broadcast in hundreds of thousands of circulars--but also because its charge of an atrocious slaveholders' plot to encircle the free states seemed so plausible and struck the proper raw nerve in a suspicious northern citizenry.

Slavery was now being indicted not only as a blight upon American ideals of freedom and a heinous crime in the eyes of God; but also as an aggressive, unscrupulous tool in the hands of immoral and odious despots bent on destroying Freedom itself. The fear that southerners had long felt for their own safety was now mirrored by a corresponding fear in the North. This widespread northern fear was an entirely new element in the long slavery struggle between the sections, a struggle that henceforth would be waged in an atmosphere

of corrosive suspicion, anger, and hatred.<sup>20</sup>

While all of these events were taking place, Congressman Stephens lay sick in his room. He was not too ill, however, to follow the progress of Douglas' bill in the papers. He noted with disgust the "disgraceful" course of the Union, the administration's paper, which had first condemned the repeal and then, reflecting the President's vacillation, had come out two days later in favor of it. On 25 January, three days after the "Appeal" had appeared, Stephens noted laconically that "the Nebraska bill is making a stir here now."

Stephens supported Douglas' bill, and was confident, in spite of all the opposition it was meeting with, that it would pass. To him the bill simply carried out the principles of the Compromise of 1850, "the idea of no congressional restriction against us in the territories" and the guaranteed right of a state to come into the Union with or without slavery as its people chose at the time of admission. Far from gloating over a victory over the North, Stephens anticipated with glee the prospect of seeing his southern enemies, the fire-eaters, voting for it:

They have all along said we were robbed by those acts, now they will not only [see] that we were not robbed by those acts, but that by them we got back all that we lost in 1820. Will this not be glory enough for one

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<sup>20</sup>The "Appeal" is in Cong. Globe, 33d Cong., 1st sess., 281-82. On the propaganda aspects of the "Appeal" see, Avery Craven, The Coming of the Civil War, 2d ed. (Chicago and London, 1957), 326-27; Potter, Impending Crisis, 163-65. Northern reaction to the bill in Nevins, Ordeal, II, 122-33.



day. To see reluctant malcontents compelled to bow down and do homage to principles they once derided and scorned! . . . It does me good to see the fellows brought with their noses to the grindstone. Verily the truth is mighty and will ultimately prevail. What a consolation this is to sustain a man even in the darkest hour who stands upon it.<sup>21</sup>

Two days later Stephens decided that the truth might need an assist to prevail. The debate on the Nebraska bill had not even begun in the Senate--Douglas had postponed its start until 30 January--and already the magnitude of northern outrage was becoming apparent. The Ohio and New York legislatures had passed resolutions opposing the bill, and all across the North an anguished howl, almost literally audible in Washington, arose from thousands of pulpits, editor's offices, and hamlet conclaves. "The Nebraska bill is playing the wild here," Stephens wrote. "You may look out for squalls ahead." Stephens urged his brother to attempt to pass in the Georgia Assembly a set of resolutions approving the bill. Interestingly, Stephens entertained some fears that such a resolution would not pass in Georgia--was it possible that all Georgians would not see the bill in the same clear light that he did? He did not even want the scheme attempted unless passage was assured, but if the resolutions could pass he would "be greatly gratified to see the movement come from one of the 'old Whig line'." If there were political capital to be made on this measure, Stephens wanted to make sure that it accrued to his side.

Well might Stephens doubt Georgians' response to the Nebraska bill. As a matter of fact, initial southern reaction to the measure

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<sup>21</sup>AHS to LS, 22, 25 January 1854, Stephens Papers, MC.

was decidedly cool, and particularly so among the old line Whigs. Memories of the fearful agitations of 1850 were still too fresh: "We had enough, and too much excitement during . . . 1850," said the Richmond Enquirer, "and now there exists an indisposition to popular meetings and legislative resolves." The New Orleans Bee contended during the debates that no one in the South would lose any sleep if the Nebraska bill were defeated. And the Republican Banner and Nashville Whig agreed. Neither Democratic nor Whig papers saw any chance of slavery actually being established in the new territory--something that Douglas also hotly contended--and most were content to express satisfaction that the pernicious stigma of inequality imposed by the Missouri Compromise upon the South was finally being removed, and that the principle of congressional nonintervention was finally to be securely established.

No such unanimity existed, however, on the principle of sovereignty. Southern proponents of the bill, both Whig and Democrat, of course denied that "squatter sovereignty," or the idea that slavery could be excluded from a territory by action of the territorial legislature before the formation of a state constitution, was being enacted by the bill.

It soon became clear, however, that the popular sovereignty principle in the bill was open to two separate constructions, one northern and one southern. This was a fact that had escaped no one, friends and foes of the bill alike. Southern Whig opponents were quick to complain of the "subtle, circumlocutory, and tautological wording that . . . seems to have been intended to bear a construction to suit any meridian."

Even some Georgia Democrats were concerned over this aspect of the bill. But in a magnificent display of temporizing the Federal Union supplied the answer to such critics:

We see no use in raising the issue at this time. It can do no good, while it may occasion much evil to the Democratic party. Some profess to support the Nebraska Bill because the doctrine of Squatter Sovereignty is embodied in it, others support it because the doctrine is not admitted in the bill. If the bill is a good one and suits all parties, why should we quarrel about a provision which is both admitted and denied--why peril the bill by an unnecessary dispute as to some supposed admission or denial of a doctrine?

The Federal Union, continued the editor, was prepared to come out against squatter sovereignty when the issue arose. All that mattered, in other words, was the immediate, short-term political victory.

Generally, the press in Georgia endorsed the Nebraska bill. The consensus of editorial writers was that the measure had been conceived in the spirit of finality. Many editors argued that the bill was consistent with the Georgia Platform, and no major Georgia paper opposed the bill outright. As was true across the South, the congressional debates occasioned no great outcry in the state's press. Most Georgians agreed, no doubt, with the editor of the Southern Recorder, who denied flatly that the bill would enact squatter sovereignty or that slavery would ever go into Nebraska. "We insist [however]," said the Recorder, "that the equitable, and vital, and republican principle contained in the compromise of 1850, and which removed the odious Missouri restriction, shall be faithfully adhered to."<sup>22</sup>

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<sup>22</sup>Ibid., 27 January 1854; Craven, Growth of Southern Nationalism, 193-205; Montgomery, Cracker Parties, 131-34; Cole, Whig

Important as the "equitable and vital" principle may have been, its forceful assertion by the South in January 1854 was hardly a matter of urgency. Many southerners in Washington privately admitted that the bill was "a most impolitic and mad movement for the South," and that "no practical good can come of it because there is none in it." "It has been concocted by politicians for political and personal purposes," concluded one Tennessee Democrat, and no southern man, had he been consulted beforehand, would have advised it. "But," he remarked ruefully, "it is upon them."

"It is upon them." These four words contain the key to understanding the South's support for a measure that many had not desired, most regretted, and almost all believed of no tangible benefit to the South. It was not the bill itself which impelled southern support, but rather the reaction of the North to it. The virulence of the northern outcry totally transformed the southern perception of the measure. What had begun as an unremarkable political measure, a bill to secure a railroad route, became in a matter of days, a sectional issue. Regardless, then, of its merits--and the South did not pretend it had any merit for them--the Nebraska bill had to be supported on the abstract (and highly arguable) ground of equality and justice. And because northern reaction tended to focus on the loathsomeness and odiousness of the southern slaveholders supposedly behind the measure,

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Party in the South, 277-308 discuss southern, Georgia, and southern Whig reaction to the Nebraska bill respectively. The Richmond Enquirer is quoted in Craven, ibid., 196. Milledgeville Federal Union, 18 April 1854; Milledgeville Southern Recorder, 21 March 1854. See also Savannah Morning News, 22 March 1854, for evidence of the quiescence prevailing in Georgia during the Nebraska debates.

and excoriated Douglas as a pawn of a grasping slaveocracy, southerners, as they had so many times before, felt compelled to support the bill for reasons of self-defense.

In their eyes, only one construction could be placed on northern opposition to the bill: it was a plot to rob the South of the principle of equality she had so arduously won in the struggle of 1850. Surrendering such a principle was unthinkable; it would be the first step on the road to ruin. "If [the South] prizes the citadel," asked the Charleston Mercury, "can she neglect the outposts? The South has no alternative. When the North presents a sectional issue, and tenders battle upon it, she must meet it or abide all the consequences of a victory . . . by a remorseless . . . foe."

The Mercury was, admittedly, an ultra southern paper. But undeniably conservative Whig papers also voiced similar opinions. The people were unanimous, said the Savannah News, "in support of a measure which northern honor, justice and good faith cannot withhold. If the bill were defeated "there will be an end to divisions at the South, and all hope and faith in compromises will be abandoned."<sup>23</sup>

The unanimity of Georgians was soon apparent. Following his brother's advice, Linton Stephens introduced resolutions supporting the Nebraska bill in the Assembly, and the resolutions promptly passed without a dissenting vote in the House and with only five opposed in the Senate. From Washington Little Aleck declared himself "delighted"

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<sup>23</sup>G. W. Jones to Howell Cobb, 16 February 1854, Cobb-Erwin-Lamar Papers, UG; Charleston Mercury, 21 June 1854, quoted in Craven, ibid., 204; Savannah Morning News, 22 March 1854.

with Linton's resolutions. Particularly gratifying to Stephens was the fact that the Southern Rights crowd had been forced to vote for them, thereby recognizing the principles of the Compromise of 1850 which they had once so loudly denounced. "You have perfectly lassoed [sic] your opponents," Stephens told Linton gleefully. "How often they will be raked for that vote."

While he was joyfully contemplating the future political capital that could be made against his enemies in the state, Stephens chose to overlook an even more obvious fact: the old-line Georgia Whigs, or what was left of them, had supported, practically en masse, a measure bearing an unmistakeable Democratic impress. The Stephens brothers were straining to find party significance in a vote where there was none. It was not the Southern Rights men who were being lassoed--it was the Whigs, with Alexander Stephens in their midst.

And this fact was not lost on the Democrats. "If a more healthy sign in the body politic does not soon make its appearance," said the Federal Union matter-of-factly, "every Southern Whig will find no resort left him but to throw himself into the ranks of the Democratic Party, where, he will at least find companionship of men from his own section."<sup>24</sup> The Federal Union was right. The Democratic

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<sup>24</sup>LS to AHS, 24 February 1854, AHS to LS, 28 February 1854, Stephens Papers, MC; Milledgeville Federal Union, 23 May 1854. An interesting feature of the southern reaction to the Nebraska bill is that only three slave state legislatures passed resolutions supporting the bill; and of these three, Louisiana, Mississippi, and Georgia, the latter two were states where the Union party had enjoyed its greatest success, a fact that suggests that the old Union Whigs felt even more impelled than their Whig compatriots in the other southern states to give evidence of their devotion to the rights of the South.

party could not have asked for any more staunch supporters of the Nebraska bill than two of their former bitter enemies--Robert Toombs and Alexander H. Stephens.

In the Senate, Toombs, who had just taken the seat to which he had been elected in 1851, presided over the bipartisan caucus which met to map out parliamentary strategy on the bill. He wrote letters to Whig editors urging their support of the measure, and he delivered the first of his many impassioned Senate speeches in support of the Nebraska bill.

The Senate struggle to pass the Nebraska bill raged for six weeks. Much to the chagrin of Douglas, but very much according to the plan of his opponents, debate focused on the repeal of the Missouri Compromise. Douglas took control of the measure from the first and brought all the force of his pugnacious personality, slashing oratory, and legislative skills to bear. Douglas wanted to pass the measure quickly, but it got through the Senate only as fast as the bill's desperate opponents would allow it to. In arguments that would be repeated in a thousand variations in the ensuing weeks, the Illinois Senator defended his bill as simply an extension of the great principle of self-government which had been embodied in the Compromise of 1850. On several occasions during the 1840s, he argued, the freesoilers of the North had refused to allow an extension of the Missouri Compromise line. Thus the principle of geographical division of territory had given way in 1850 to the principle of popular sovereignty. It was useless, contended Douglas, to quibble over phraseology: the simple question at

issue was whether Congress would allow the people of the territories to legislate on slavery as they saw fit.

But it is in the nature of lawmakers to quibble over phraseology, and to satisfy various critics Douglas was forced to accept several amendments to his bill. The most important of these declared that the Missouri Compromise, instead of being "superceded by" the Compromise of 1850, was "inconsistent with the principles of non-intervention" then enacted, and was, therefore, "inoperative and void." To the same section Douglas also attached the following explanatory language: "it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." This explanation was the key feature of the measure, the popular sovereignty section which was open to different interpretations. In vain did opponents of the bill attempt to pin Douglas down on this "little stump speech, injected into the belly of the bill" (as Thomas Hart Benton scornfully termed it). The Little Giant was firm. The ambiguity of the language could not be sacrificed without losing the bill entirely. It stood unchanged while fiery debate raged on around it.

Finally, after a brain-numbing session of seventeen hours, at five in the morning on 4 March 1854, the Nebraska bill was brought to a vote in the Senate. To no one's surprise the heavily-Democratic Senate passed the bill by a vote of 37 to 14. The majority was composed



of twenty-nine Democrats, fourteen of whom were from the free states, and eight southern Whigs. Only two southerners, Whig John Bell of Tennessee and Democrat Sam Houston of Texas, joined with the four Whigs, six Democrats, and two Freesoilers of the North in opposition.<sup>25</sup>

The vote in the Senate had been expected, but the fate of Douglas' bill in the House was, from the first, very doubtful. On paper at least the massive Democratic majority in the lower chamber--158 to 76--looked impressive. But 92 of those 158 were northern men, many of whom were put into terrible political jeopardy by the Nebraska bill. None of them were deaf to the outraged howl arising from their constituencies, and unlike their Senate colleagues, all of these representatives had to face the voters in 1854. It was bad enough that the Nebraska bill repealed the Missouri Compromise, but even worse, from many a northern Democrat's point of view, the popular sovereignty feature--which might have been a strong counterpoint to repeal of the Missouri Compromise had it been boldly stated--was nebulous and wishy-washy. Moreover, the Senate bill had been amended (over Douglas' vote and with strong southern support) so as to exclude unnaturalized foreign immigrants from political participation in the territories, a feature bound to bedevil Democrats with predominantly foreign constituencies. In short, Democratic support for the administration measure was very "soft" in the House. And it was not long before William A. Richardson, Douglas' Illinois colleague and chairman of the

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<sup>25</sup>Robert Toombs to W. M. Burwell, 3 February 1854, W. M. Burwell Papers, LC; Cong. Globe, 33d Cong., 1st sess., Appendix, 346-51; Johannsen, Douglas, 424-32.

House Committee on the Territories, discovered the magnitude of the task he confronted.

Since the last day in January, a House version of the Nebraska bill (identical to Douglas' Senate measure before it was amended) had been lying on the Speaker's desk. But the mere fact that the bill was not officially under consideration--it would be some months, as will be seen, before it could even reach this stage--did not prevent its being discussed. On 10 February, an uncommonly pale and still weak Alexander Stephens was sufficiently recovered from illness to resume his seat in the House. And he was in his seat on the fifteenth when two northern hotspurs, James Meacham of Vermont and Rebeun Fenton of New York, took advantage of discussion in the Committee of the Whole on a homestead bill to deliver slashing attacks on the Nebraska bill. Stephens had wanted to reply then to these attacks, but he did not get his opportunity until two days later.

On the afternoon of 17 February, when Stephens arose to deliver his speech, the House galleries were jammed. Little Aleck had been careful to claim the floor at the close of the previous day's session, and word had circulated during the night that Stephens of Georgia was to speak on the morrow. This news always drew a large throng to hear him--a fact Stephens never failed to notice. It must have given him wry satisfaction to mark the presence of several Senators in the audience this day. Indeed, there were not many Senators whose oratory could outdraw Stephens', and on 17 February it was William H. Seward who spoke to a half-empty chamber across the rotunda whilst Little

Aleck Stephens transfixed the House with his shrill, piping voice.

Meacham and Fenton had both argued that the Missouri Compromise was a solemn compact which had been faithfully and honorably adhered to for thirty-four years; the Nebraska bill, they claimed, violated this compact and was, therefore, a breach of good faith which would have disastrous effects on the peace and well being of the country. This was the argument that Stephens set out to demolish point by point.

The demolition naturally involved a long review of the history of the Missouri Compromise. He pointed out, correctly, that invoking Henry Clay's revered memory in connection with the Missouri Compromise was an error. Clay's part in that compromise of 1820 had had nothing to do with the geographical line of 36°30' dividing free and slave territory. This line, in fact, had been proposed by an Illinois Senator; and Clay had not even voted for it. He denied further that the Missouri Compromise had ever been a "compact," certainly not one between the North and South. It "was nothing but a law, with no greater sanction than any other statute." The South had voted for the 36°30' line as a "lesser evil" to the total exclusion of slavery from Missouri, and even then "it was literally forced upon the South . . . by superior numbers."

Stephens flatly and scornfully denied that the line had been faithfully and honorably adhered to by the North. Indeed, it had been "shamelessly disregarded by Congress repeatedly" and was "entirely superceded" by the principles established in 1850. Nor had it been the South which had disregarded the supposedly sacred compact of 1820.

It had been the North. With characteristic thoroughness Stephens then proceeded to show how northern representatives had voted time after time against the admission of slave states and against settlement of the Oregon and Mexican cession territories on the basis of an equitable division of territory between North and South. "Honor, indeed!" he snapped, quoting Shakespeare: "I thank thee, Jew, for teaching me that word."

Having been repeatedly refused an extension of the Missouri line by northern votes, Stephens continued, the South in 1850 "was thrown back upon her original rights under the constitution. Her next position was that territorial exclusion by Congress should be totally abandoned," both south and north of 36°30'. The position the South now maintained--that the question of slavery be decided by the people of the territories--rested on a principle which was the "very foundation of all our republican institutions," "the principle of the whigs of 1775 and 1776."

Stephens was careful to waive the constitutional question: whether Congress had the power to impose restrictions on the people of territories. "I never discuss it," he said. "The question of power is not the question; the question is, is it right to thus exercise it? Is it consistent with representative government to do it?" Where, Stephens asked disdainfully, did the "latter-day whigs" of the North stand? With Lord North and the British Tories of 1775, or with the American patriots? And "where do you, calling yourselves democrats from the North, stand upon this great question of popular rights?"

The friends of the Nebraska bill, said Stephens, were striving for no more than the "vindication of that new principle" of popular sovereignty which had been established in 1850, a principle "utterly inconsistent" with Congressional restriction, a principle "necessarily render[ing] all antecedent legislation inconsistent with it inoperative and void."

Why should the North be so opposed to this principle? It had a population advantage of two to one over the South. Surely the North would maintain this advantage in the new territories. "Are your 'free-born sons,' who never 'breathed the tainted air of slavery,'" Stephens asked with scathing irony, "such nincompoops that they cannot be 'trusted without their mother's leave?'" The only other inference that could be made was that slavery was not so bad after all, and that the only way to keep "wise, intelligent, and Christian men, even from New England itself, from adopting it" was to prevent its adoption by Congress.

As for the contention that the passage of the Nebraska bill would disturb the peace of the country, Stephens professed to see no reason for excitement. What was there to be excited about in extending to the people of Kansas and Nebraska the right of determining their own institutions? And who was excited? "Nothing but the fragments of the old 'Wilmot proviso,' 'Free-Soil,' and 'Abolition Phalanx'" with their "hypocritical cry about the sacredness of compacts." "Let them rage on," Stephens sniffed.

As for "threats of what will be the fate of, and 'political

graves' of, northern men who vote for this bill, [they] fright nobody but old women and timid children . . . we have heard them before."

As far as Stephens was concerned these dire threats "are but the 'ravings' and 'howlings' and 'hissings' of the beaten and routed ranks of . . . factionists and malcontents [afflicted with] negromania." Once the principle of 1850 was vindicated, the agitation would cease. With monumental blindness to the emotional power of the whole issue (which, incidentally, had in no small measure contributed to his own heat during this speech), Stephens advised his northern colleagues to stand upon principles, "to come up and sustain this great republican American policy. . . . Meet your constituents, if need be, . . . and face to face, tell them they are wrong, and you are right."<sup>26</sup>

How utterly simple the whole problem was to Alexander Stephens! And how utterly rigid his solution! All one had to do was enshrine a principle, a constitutional principle, and then pay it the kind of homage usually offered Holy Writ. But what if a political problem involved values? Stephens, although he would have been the last to admit that he was striving for anything but what was right, ultimately defined the highest value, and therefore what was right, as what was lawful and constitutional. Slavery was both, and so was popular sovereignty. That either subject should become the subject of controversy on moral grounds, to Stephens, could only be attributed to stupidity, malevolence, or madness ("negromania") in his opponents.

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<sup>26</sup>Nichols, Blueprints, 104-07; Stephens' speech is in Cleveland, Stephens, 394-415.

That the Right transcends written laws and constitutions, and that many men (even the Whigs of 1776 he so revered) perceived it this way, never for a moment occurred to him.

"I have been wonderfully lionized on account of this speech," Stephens smugly told Linton. Letters requesting copies of the speech were soon pouring in from all parts of the United States. Members of Congress requested 34,000 copies and within a few weeks or so 50,000 copies were broadcast over the country. To make sure that the constituents of his new district fully appreciated his efforts, Stephens was careful to request "an extensive list" of Burke county residents so he could send copies of the speech there.<sup>27</sup>

It soon became evident that vindication of the glorious principles so dear to Stephens was not going to be an easy task in the House. Senator Douglas, his fighting instincts aroused to fever pitch, was, like Stephens, sure that as soon as the northern people understood the bill, "the storm will . . . spend its fury." But the storm simply intensified, and Little Aleck began seriously to doubt the bill would pass the House. He had not yet lost his distrust of Democrats--even when they espoused correct principles. "The administration are nominally for it," he explained to Linton, "but at heart I have no doubt want it defeated. They poor fools think it will make Douglass [sic] president. Jeff Davis also fears it will make Union men from the South two [sic] prominent." What evidence Stephens had for these two assertions

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<sup>27</sup>AHS to LS, 27 February 1854, Stephens Papers, MC; AHS to Joseph B. Jones, 9 May 1854, Joseph B. Jones Papers, EU.

is not known; but it is interesting that after all his talk about the hissing and howling of northern malcontents he was willing to anticipate defeat at the hands of his southern antagonists. "The bill is a bitter pill for Southern Fire eaters," he remarked.<sup>28</sup>

Stephens had been around the House too long to believe that the Nebraska bill was anywhere near passing. He felt free, therefore, to leave Washington near the end of March and return to Georgia for the spring court sessions. The prospect of a beautiful spring at home Stephens found considerably more alluring than an interminable hassle in Congress. He was absent for a month, and returned to the capital during the last week in April.

It is likely that Stephens despaired of any sort of House action on the bill--at least during the present session. He had not yet departed Washington when Richardson, on 21 March, moved to take up the Nebraska bill. Had the normal course of action been followed the bill would have then been referred to Richardson's Territorial Committee from whence it could be reported out at any time and moved by the previous question. If this motion were then seconded by a majority, debate would be ended and the bill brought to a vote at once.

But the Democratic majority, as has been noted, was seriously divided on the bill. Hence when Richardson moved that it be referred to his committee, he was immediately challenged by Francis B. Cutting, a New York "hardshell" Democrat. Cutting moved that the bill be

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<sup>28</sup>Stephen A. Douglas to Howell Cobb, 2 April 1854, TSC Corr., 343; AHS to LS, 4 March 1854, Stephens Papers, MC.



referred to the calendar of the Committee of the Whole House, a motion which, if carried, would effectively snatch the bill from Richardson's control. Friends of the Nebraska bill fought this motion desperately, for the Nebraska bill would stand fiftieth on the calendar of the Committee of the Whole, much too far down to be reached during the present session. Cutting's motion carried, however, by a vote of 110 to 95. Only 26 of the 92 northern Democrats voted with Richardson in opposing it.<sup>29</sup> The Nebraska bill had received a stunning blow.

But not a fatal one. In the following weeks Douglas and the administration forces exercised all the ingenuity at their command to force the dissenting Democrats back into line. Douglas and the Washington Union cajoled and threatened and appealed to party loyalty. President Pierce did what he could, writing to New England editors and beseeching their support. In a widely published interview Pierce declared that the Nebraska bill would guarantee the extension of freedom in America. No new slave state could possibly be formed out of the territory, the President declared.

While the pressure was being applied and the patronage screws

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<sup>29</sup>"Hardshell" and "softshell" are names given to the two factions of Hunker Democrats in New York. The "hards" were adamantly opposed to any sort of accommodation or reunion with the Barnburners, the third faction in the New York Democratic party. The "softs" occupied a more conciliatory position towards the old Van Buren men. Pierce's patronage policies in New York, which treated all the factions equally, had greatly mortified and angered the hards; and Cutting's motion was a way of expressing New York's discontent with the administration. Twenty-one of the dissenting Democrats on the vote of 21 March--there were sixty-six dissenters in all, fifty-five who voted for Cutting's motion and eleven who absented themselves--were from New York. Only one New Yorker voted with Richardson. See, Nichols, Blueprints, 107-08.

were being tightened on the recalcitrant Democrats, Stephens was in Georgia. He returned in the last week of April, shortly before Richardson and Douglas finally succeeded in forging a working majority in the House. On 2 May Richardson announced his intention of attempting to clear the House calendar on the eighth. The House version of the Nebraska bill was nineteenth on the calendar. To succeed Richardson would have to carry eighteen consecutive motions to lay bills aside. Then he would substitute the Senate version of the bill (the one that was fiftieth on the calendar), and attempt to bring the measure to a vote.

Alexander Stephens, rested and feeling very well, threw himself wholeheartedly into the struggle. Back in February he had spoken of the great national principle which the Nebraska bill embodied. Now, three months later, as he wrote the editor of the Baltimore Patriot, he expressed "a deep interest in the success of the measure as a Southern man. The issue presented by the bill," he continued, "is one which in the main has arrayed the freesoilers in solid ranks against the South. The moral effect of the victory on our side will have a permanent effect upon the public mind whether any positive advantages accrue by way of the actual expansion of slavery or not. The effect of such a victory at this time is important."<sup>30</sup> Now, it appears, even

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<sup>30</sup>Nichols, Pierce, 336-37; ibid., Blueprints, 109-10; AHS to William M. Burwell, 7 May 1854, Stephens Papers, LC. Stephens was opposed to the amendment that Clayton had attached to the bill in the Senate, an amendment which prohibited unnaturalized foreigners from voting in the territories. He saw this as simply a pretext for southern Whigs to join with the freesoilers in opposition to the bill. "I think it of great importance," he told Burwell, "for the South to have the kind feelings of the foreign population. Come that population

the "principle" involved in the bill was secondary to Stephens. It mattered not whether a single slave ever entered the territory. What mattered now was the "moral victory" of the South over the North. Stephens was absolutely correct in his prediction that such a victory would have "a permanent effect upon the public mind." But if he thought that passage of this bill would quiet the country (and doubtless he did), he was never more mistaken in all his life.

On 8 May Richardson succeeded in carrying out his plan. With substantial help from Stephens, the newly-forged Democratic majority carried a vote (109 to 88) to go into the Committee of the Whole, brushed aside a flurry of obstructionist motions, and at length succeeded in digging the Nebraska bill out from its grave in the calendar. Richardson was now in position to move to substitute the Senate bill for the House version, and the debate began in earnest.

It raged unabated for the next two days, and showed not a sign of slackening. The strategy and maneuverings of the opposing sides became more Byzantine by the hour. Richardson, although he had succeeded in getting to the Nebraska bill, had not yet solved his problem. He now had to contend with a time limit. The House, by a special order passed a few weeks previously, had set 16 May as the date to consider a Pacific railroad bill. Consideration of this measure, plus the usual appropriation bills, would consume days: the Nebraska bill would again be buried, this time by the operation of the rules.

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will, and why should we make them our enemies upon the small question of whether they should vote in a territory only within one year or five. If you concur a leader on that point would help much." Ibid.

Richardson, therefore, had to secure vote on the bill before 16 May; either this, or somehow engineer a two-thirds majority to agree to a suspension of the rules which would allow the railroad measure to be postponed.

The Illinois congressman began his effort on 11 May, moving that debate on the Nebraska bill be closed the next day. This was the signal for a frantic display of opposition tactics by the minority. Using every dilatory motion permitted by the House rules--motions to adjourn, to call the roll, to reconsider votes, to be excused from voting--the bill's opponents tied up the proceedings for hours--thirty-six hours, to be exact. The session dragged on all afternoon on Thursday, the eleventh, through Thursday night, all day Friday, and into Friday night.

It was one of the most riotous sessions in House history. The Senate, unable to keep a quorum, adjourned to watch the engrossing spectacle on the other side of the capitol. So committed was he to the success of his measure that Douglas himself, disregarding the proprieties, was on the House floor almost constantly: plotting strategy, bullying and denouncing, even attempting (without success) to challenge the Speaker's rulings. Enduring this grueling session, hour after endless hour, naturally caused nerves to fray and tempers to shorten. More than once physical violence was threatened. A number of congressmen, insufficiently numbed by the proceedings, addled their wits and sensibilities even further with copious draughts of alcohol; and a few managed to remove themselves entirely beyond the reach of argument or persuasion by drinking themselves into a stupor.

Stephens, forgetting his own tactics on the California bill in 1850, exchanged angry words with the obstructionists several times during the debate. But he was no more successful than any other of the bill's friends in stopping the filibuster. Finally, at 11:33 p.m. on Friday night, the limits of human endurance had been reached, and the House adjourned.

The filibuster at least had the effect of bringing Richardson around to the idea of negotiation. Sometime during the weekend he agreed to allow another week's debate on the bill, thereby securing the votes of enough anti-Nebraska men to pass by two-thirds majority the necessary postponement of the Pacific Railroad bill. This maneuver was duly carried out on the fifteenth. Formal debate was now scheduled to end at noon on 20 May.

Even the end of formal debate did not guarantee the bill's coming to a vote, for then it would be open to amendment; and under the House rules an indefinite number of amendments, supported by just as many five-minute supporting speeches, could be offered. These were the very tactics Stephens and other southerners had used in 1850 to defeat the California bill. Sure enough, with the close of formal debate, the bill's opponents began offering amendments.<sup>31</sup> From all appearances, the Nebraska bill was doomed.

If there was any man in the House who knew his way through the tangle of rules and procedures, it was Alexander Stephens. The Georgian had devised a way out of this new impasse. Stephens' plan

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<sup>31</sup>Nichols, Blueprints, 111-17; samples of Stephens' rhetoric in Cong. Globe, 33d Cong., 1st sess., 1162-63, 1183.

was this: he would employ the 119th Rule of the House. This obscure regulation, first adopted in 1814 and seldom used, permitted a motion to strike the enacting clause of a bill to take precedence over all pending amendments. The majority would pass this motion, which of course, would take the bill out of the Committee of the Whole and cause it to report the bill unfavorably to the House. This report, though, would be of no practical consequence, for the bill's supporters, the same majority which had just reported it unfavorably from Committee, would then refuse to concur in the Committee's report, and pass the bill under the previous question. The plan was consummate parliamentary tactics, the kind of maneuvering in which few men, in either house of Congress, could equal Stephens.

For the past week, said one observer, Stephens had been "more excited . . . than I have ever seen him." Part of the reason for his excitement was that, although he had found a way to bring the bill to a vote without amendment, he could not sell his plan to Douglas and the other managers. The Little Giant, bitterly assailed for using dictatorial tactics in passing the bill in the Senate, wanted to avoid similar charges in the House.

Stephens was disgusted with this refusal. "I have not got the leaders to agree to it," he wrote to Linton on 21 May. "I am getting vexed at their vacillating, timid, foolish policy. There is not one of them worth a dime. I am getting chafed in spirit at the thought of following in the lead of such men. I am getting insubordinate and losing my self respect. If I had not come back here I do not barely

believe that they would have got the question up again."<sup>32</sup>

Whether insubordination, vexation, or concern for his "self respect" weighed more heavily in Stephens' calculations, he decided the next day, 22 May, managers' approval or not, to take matters into his own hands. The minute the House resolved itself into the Committee of the Whole, Stephens claimed the floor and moved to strike out the enacting clause of the bill. He then proceeded to read the 119th Rule and explain to the mystified House how damning the bill in Committee would insure its passage in the full House. Peevishly Stephens lectured his colleagues: "It is time this measure was brought to a final vote. It has been . . . before Congress for the last five months. It has been discussed in the Senate; it has been discussed in the House; it has been discussed before the country. . . . Why should we longer delay?"

The shocked opponents of the bill realized that they had been outmanuevered. Most of them sullenly refused to vote on Stephens' motion, which carried 103 to 22. Thus, the Committee rose and reported the bill to the House. The minority now threw themselves into one last ditch attempt to stave off a vote; the struggle lasted all day, and the attempt failed. Near midnight, under Richardson's skillful management, the House majority refused to concur with the Committee report, and the Nebraska bill finally passed by a vote of 113 to 100. An even one hundred of the majority votes were Democratic. Fully

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<sup>32</sup>D. A. Reese to LS, 20 May 1854, Stephens Papers, LC; AHS to LS, 21 May 1854, ibid., MC.

58 northern Democrats had deserted the party. The winning margin had been provided by 13 southern Whigs.<sup>33</sup>

Thus one of the most fateful bills in American history became law. But Douglas had achieved his victory at great cost. He had shattered the unity of his party and planted the seeds of an implacable antislavery coalition, the Republican party, which would shortly be sweeping Democrats from office all over the North. He had succeeded in "vindicating" a principle of territorial organization which North and South understood in diametrically opposed terms. He had further guaranteed that the new territories would instead of following normal channels of political development, be turned into an arena for sectional conflict. And finally, he had failed to achieve his primary objective. Because of the flaming sectional animosities it aroused anew, the Pacific railroad was lost. The realization of Douglas' dream would be years in coming. Not until the nation had been purged with blood--and long after the Little Giant had died--would a railroad run from the Atlantic to the Pacific.

Alexander Stephens, who had played such an important part in the passage of this disastrous legislation, was beside himself with glee. "Hurrah for the Compromise of 1850," he wrote exultantly. "Is not this glory enough for one day[?]" Stephens had no illusions whatever about who had passed the bill. He had been absorbed "night and day" for two weeks with the measure, he reported, and if he had not been

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<sup>33</sup>Cong. Globe, 33d Cong., 1st sess., 1241; Nichols, Blueprints, 117-23. The Senate passed the House version of the bill, that is, it receded from the Clayton amendment, on 26 May 1854. Pierce signed the bill on 30 May.



there, the bill would have failed. "I took the reins in my own hand and drove with whip & spur until we got the 'wagon' out of the mire." Evidently Stephens now decided that everything would return to normal. With singular obtuseness Stephens observed a few days later: "The excitement has nearly all passed away. Nobody says anything against it but the abolitionists. Let them howl on. 'Tis their vocation."

Indeed, Stephens was not only proud of his personal triumph, he was convinced that the Nebraska bill was one of the greatest laws in the history of the country. In a long letter to his former law partner a few weeks after the bill passed Stephens was still basking in glory. "Since the triumph of the Nebraska Bill I feel as if the Mission of my life was performed. . . . the cup of my ambition was full." Not in the least gratifying to Stephens was the fact that time--at least as he saw it--had shown him to be right and his "bitterest assailants" to be wrong. "Are we not in much better condition today than we were in 1843 when I took my seat on the floor of the House--I mean the South? Are we not in infinitely better condition than we would have been had the Clayton Compromise been adopted?"<sup>34</sup>

The Nebraska bill, along with the Compromise of 1850 and the Georgia Platform, now joined to form a trinity which Alexander Stephens would worship for the rest of his antebellum career. During the next session of Congress he would praise the bill as "a grand step in the

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<sup>34</sup>AHS to James Thomas, 23 May 1854, Stephens Papers, LC; id. to J. W. Duncan, 26 May 1854, Dreer American Statesman Collection, PHS; id. to Robert Burch, 15 June 1854, American Historical Review 8 (October, 1902): 91-97.

progress which characterizes this age." And on the stump in Georgia in 1855, he would boast of his role in passing it and call it "the greatest glory of my life."<sup>35</sup> Stephens had come a long way from 1843. Then he had been a national Whig, defending Henry Clay, the tariff and the Bank, and assailing John Tyler, a southern state rights President. Now he was sounding more and more like a sectionalist, for all the world, after Nebraska, like some of the Southern Rights men he professed to despise.

One might suppose that after his close cooperation with the Democrats in passing the Nebraska bill, not to mention the obvious "unsoundness" of the Whigs on the measure--the northern Whigs were united in opposing it, and every southern vote cast against the bill in either house, with but two exceptions, was by a Whig--that Stephens would have seriously considered formal affiliation with the Democratic party. However, at no time in 1854 did Stephens indicate that he was ready to take this step.

What he really thought about the party situation, and what his own plans were, is difficult to say. The Whig party as an organization with any pretensions to nationalism at all was dead. The Nebraska act had destroyed what little was left of the party after the 1852 debacle. Stephens, of course, had long recognized the ascendancy of the northern wing of the Whig party, and he spurned it for that reason. But the Democrats were not pure enough for him either. Although the

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<sup>35</sup>Cong. Globe, 33d Cong., 2d sess., Appendix, 35; Augusta Chronicle and Sentinel, 29 July 1855.

evidence is contradictory, it appears that Stephens still hoped that by some mysterious process a new national party agreeing with him in every particular would emerge. In mid-June 1854 he wrote:

There are really no parties in this country. There are persons calling themselves Whigs and . . . Democrats but these terms do not designate in the slightest degree classes of men agreeing upon any of the public questions or issues of this day. . . . Parties must form upon questions and it is idle and futile to attempt to keep up these old unmeaning designations which had their day with the questions that brought them into being. I dont think it proper at this time to take any lead towards formation of new parties. . . .

My sole object here now is to serve the country. I have little or no confidence in Parties as such of any name or style. . . .

I have no desire to build up parties as such. All combinations of men have a tendency in themselves to grow corrupt. . . . I trust that no portion of the Southern people will ever again go into any National Convention . . . with any Party which does not purge itself of all freesoil elements. This is what I wanted done in 1852. The country is in better condition for this plan or reorganization than it has ever been before.

Obviously, though, the Democratic party was not being "reorganized" to his satisfaction. "Mr. Pierce is a good, social, clever gentleman, individually sound . . . upon all these questions. But he will not make them a test. . . . he will fall. His administration is now powerless."

The truth is that Stephens, while still fervently professing his allegiance to "national" principles, had redefined those principles. Now what was in the South's interest was, by definition, in the national interest. For example, his views on Cuba, in the short space of eighteen months, had undergone considerable revision. "I am for Cuba," he announced in mid-1854. Not only did he favor acquisition

of the island, but filibustering, which he had once denounced as "lawless aggression," also met with his approval. "If our citizens see fit to go and rescue the Island from Spanish misrule and English abolition policy they ought not be punished by us for doing so."<sup>36</sup>

That Stephens could so blithely forget his support of the isolationist principles of Washington's Farewell Address in February 1853, and now bestow his blessing on filibustering, a cardinal tenet of Young America, demonstrates how far along Democratic channels his thoughts had run. But not for a moment would Stephens have admitted this, even to himself. He actually seemed to envision the battered remnant of the southern Whigs as the nucleus of a general restructuring of the party system. Two weeks after his declaration that he had no desire to build up parties, he wrote:

The Southern Whigs must strike out a lead for themselves. They cannot afford either for their own sake or that of the country to follow the lead or to fall in the ranks of either of the great nominal parties as they are now organized & constituted. . . . What we want is a sound national organization upon broad National-Republican principles. If the Southern Whigs will but maintain their position of 1850 and principles of the Kansas & Nebraska Bill . . . and vote no affiliation with any party North or South which does not make these principles the test of their organization all will be well and a most glorious triumph in a short time will be the result. Decision, firmness, and boldness in the maintenance of this position is all that is wanted. . . . There is nothing that will tend so much to a speedy purification of both parties North as a resolute purpose on our part to hold to this course.<sup>37</sup>

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<sup>36</sup>AHS to Robert S. Burch, 15 June 1854, American Historical Review 8 (October, 1902): 91-97.

<sup>37</sup>AHS to Wm. C. Burwell, 26 June 1854, Stephens Papers, LC.

Stephens was still insisting on purity--his own kind of purity. Not yet able to conceive of himself as a Democrat, nor willing to admit that the old Whigs of the South were incapable of taking the lead in politics, he fell back upon a shibboleth, defense of "National-Republican principles," to justify to others, and to himself, the rather anomalous political position he was occupying.

What made it so difficult for Stephens to espouse Democracy was the dogged persistence of the anti-Democratic tradition in the South. There still remained thousands of Whigs (ex-Whigs really) in the South who, although they had forfeited their party's name, also revered "National-Republican" principles, and, who not for a single instant contemplated affiliation with their ancient Democratic enemies. "The best policy of all Southern Whigs . . . is to watch and wait," counselled the Southern Recorder. "We see no reason why the Union Republican Party of Georgia, should in the slightest degree modify their views, or change their attitude."<sup>38</sup>

Thousands of Georgia Whigs in the summer of 1854 were doing just that--watching and waiting. Their lifelong habit of opposing

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<sup>38</sup>Milledgeville Southern Recorder, 12 June 1854. From Washington, Senator John Bell of Tennessee, a Whig who had voted against the Nebraska bill, noted the persistence of the Whig tradition: "I was too timid & reluctant to separate myself from the Southern Whigs, who I am now satisfied--or I am satisfied that the most zealous of them, went for the bill, hoping that there would no longer by any Whig party. I think, except Toombs & Stephens, they are all beginning to think that they will not succeed in their policy to get up a new party, & are willing to be . . . Whigs, at least until they perceive that the party is more clearly doomed than it seems at present." John Bell to W. B. Campbell, 10 August 1854, Campbell Family Papers, DU.

everything Democratic was not broken easily. Not for a moment would these men yield their claim of being the true nationalists and the true defenders of Southern Rights to the Democrats. All they required was a pretext, a rallying point, some new and plausible standard under which they could gather to do battle with the ancient foe. The rallying point was not long in appearing. A new national party, with rabid adherents both North and South, was rising like a phoenix out of the ruins of the old. This new party was the Know Nothing party; it was rooted in bigotry and prejudice, and it fed on political and social unrest. And with amazing and mystifying rapidity it began to sweep the old Whig areas of the South.

But Alexander Stephens would have none of this new movement. He might not be a Democrat (yet), but a Know Nothing he could never be. For Stephens had been watching too: and what he saw in this new party revolted him only slightly less than abolitionism. But even worse, this new organization was enrolling hundreds of his constituents. Resolutely Alexander Stephens decided that there was but one honorable course open to him. He must leave Congress. He could no longer faithfully represent the people of the Eighth district. His race, he decided, was run.

## CHAPTER XI

### WITH HIS PRINCIPLES ON HIS FOREHEAD

The stormy months of struggle in Congress had exhausted Stephens. Although Congress adjourned in August, he had already returned to Georgia in the first part of July.<sup>1</sup> He would remain there for four placid months.

Little Aleck ever relished being at home, in the midst of his household family, black and white. Stephens took his family responsibilities seriously. It was during this fall that he brought his brother's son, John A. Stephens, over from Lagrange to live with him. Evidently despairing of his brother's ability ever to see after his family properly, Stephens decided to educate the sixteen-year-old boy himself, moved him to Crawfordville, and enrolled him in the academy at Woodstock. John Alexander Stephens not only bore the name of his

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<sup>1</sup>Helping to pass the Nebraska bill was not Stephens' only contribution to American "progress" during this session of Congress. One of his messmates, J. P. Esby, was a meteorologist in the Navy Department and something of a theorist about weather phenomena. Esby believed weather could be predicted by careful observation and accumulation of meteorological data. Always an avid observer of the weather himself, Stephens urged Esby to call on the editors of the leading Washington papers and request them to print daily telegraphic weather observations from different parts of the country. Together the two men did this, and also got the permission of the telegraph company to send these short messages without charge. The first daily weather reports began appearing in the Washington papers in the summer of 1854. AHS to F. G. Arnold, 2 July 1879, Stephens Papers, EU.

illustrious uncle, but he also went by the same nickname, "Ellick." Stephens, his monumental ego affronted, promptly ended that practice. He enrolled the boy in school as "John A. Stephens" and always addressed his mail that way. "I have a sort of aversion to any other 'Ellick Stephens' besides myself," he explained. So at the price of a nickname, John A. Stephens became an educated man.

Stephens felt responsible for his black family too. At the end of November, at the urging of Betsey, one of his slaves, he purchased the woman's sister, along with her daughter and a male cousin. "They begged me out of it," he told Linton. This act of humanity and kindness towards his slaves was characteristic of Stephens, who as a slaveholder was the very soul of benevolence, the model master. Linton Stephens, however, was different. Possessing the same flinty impatience with human frailty as his brother, without his ameliorative disposition to charity and instinctive identification with misery and suffering, Linton was the sort of master who was often tempted to resort to the usual sanctions of the slave society: the whip and the punitive sale of recalcitrant blacks. That he did not do so more often can probably be attributed to Alex, who was always careful to praise Linton's restraint in such matters. Alexander Stephens did not believe in physical punishment of slaves. "To err is human," he said. "And if . . . those in every way the best commit most egregious errors . . . what better could be expected of a poor negroe with a mind very little above those attributes called instincts?"<sup>2</sup>

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<sup>2</sup> AHS to LS, 21, 27 November, 12 July, 11 December 1854, Stephens Papers, MC.



How Stephens reconciled his racist presumptions with the evidence of his own senses is difficult to say. He certainly treated blacks as if they possessed something more than instincts. In November, for example, he spent the better part of a night and a day in long, deep, and sorrowful conversation with "old Ben," a former slave of Aaron's, then owned by John L. The two men sat side by side in rockers before the fireplace, and the next day went down to the burial ground together. Ben desperately wanted to return to Crawfordville, and Stephens assured the old man he would speak to John about it. Stephens violated the southern canon on proper management of blacks, too. For example, he never employed an overseer on his place. When he was in Washington, he simply wrote to Harry, Eliza's husband, and gave his instructions through him. Several of Stephens' slaves knew how to read and write, knowledge that by contemporary southern lights was extremely dangerous in black slaves, and moreover prohibited by law in all the slave states. The law made no difference to the master of the house. Stephens managed his household by his own rules.<sup>3</sup>

When he was at home, Stephens invariably followed a fixed routine. He would arise around sunrise, "take a shower bath," and, if the weather was good, take a ride before breakfast. During the ferocious heat of the day he would sit in the shade of his porch reading or tending to his wide correspondence. Many a satisfying hour he spent with Rio simply wandering his property, supervising the work of the farm or sitting in quiet reverie on the new stone wall he had had installed

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<sup>3</sup>Ibid., 25, 26 November 1854; Norwood, Liberty Hall, 130.

around the family graveyard.

Stephens was now forty-two years old, prosperous (the four slaves he bought in November had cost \$2075--he paid cash), even moderately famous, but just as unhappy as he ever was. "Everything seems stamped with the impress of decay," he dolefully told Linton in October. "Life is rapidly passing away and soon all of us will be in the grave. There is very little in this world worth the attention of one who must so soon take his departure."<sup>4</sup>

Stephens was wrong, of course, about his impending departure. Incredibly, he was to survive for almost thirty years longer. But he was ill again--this time with dysentery--and perhaps this accounted in part for his glumness. As always, Linton was his only confidant during such spells of despondency. It might seem odd that Stephens took no solace from religion--at least religion of the organized variety. By his own account, he was for some years of his life, "skeptical [and] callous" toward religion. He was a member of the Presbyterian church, and had been since 1827, but from all indications Stephens was not a regular churchgoer. Nor did he ever talk or write much on the subject of religion. "I have always had an aversion to what I consider the cant of religion," he once explained. Such was the nature of this "aversion" that it led some uninformed men to suspect that Stephens was an atheist. Nothing could have been further from the truth. Stephens had an abiding, albeit conventional, faith in the operations of Divine Providence; in 1863 he admitted that for "some years" he had

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<sup>4</sup>AHS to LS, 6 July, 5 September, 26 November, 13 October 1854, Stephens Papers, MC. Receipt for slaves, November 1854, ibid., LC.

made a practice of daily prayer. And his faith became more pronounced as he grew older. But he would speak of this faith only rarely, usually to Linton when the latter was undergoing a crisis of some kind. Evidently Stephens had, at some time during his early life, run afoul of a minister and "came near to being shipwrecked in religious feeling" because of it. Thereafter preachers had little effect upon him. His religious impulses did not require the ministrations of preachers. Most of these, said Stephens, were "poor erring mortals" to whom he extended charity "as a superior always should to an inferior." "Even the religion of the best," he observed, "is exceedingly earthly."<sup>5</sup>

Even if his attitude was insufferably egotistical, Stephens' charitable sentiments towards those he considered inferior were sincere. Such was not the case with thousands of other Americans during these years. The late 1840s and early 1850s had brought to the United States a veritable flood of immigrants. Many of these newcomers were just the sort of "inferiors" less magnanimous men than Stephens were inclined to hate and despise: most were poor, illiterate, and worst of all, Catholic.

From 1828 to 1844 a half a million immigrants had entered the country. Almost 3 million, six times as many, poured in during the following decade. The greatest proportion of this human tide were Irish Catholics, fleeing the potato blight in their home island, and Germans, likewise fleeing from the political convulsions then sweeping Europe.

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<sup>5</sup>AHS to R. M. Johnston, 29 March 1863, Johnston and Browne, Stephens, 439-40; Avery, In Memory, 59; AHS to LS, 25 August, 16 November, 24 December 1854, Stephens Papers, MC.

The majority of these immigrants were Roman Catholics; some were political radicals; and almost all spoke strangely, dressed strangely, and, to native Americans, behaved strangely too. Desperately poor, the horde of immigrants tended to settle in the big cities of the upper eastern seaboard where day labor and slum housing were readily available.

It was the presence of these people in ever increasing numbers that gave rise during the early 1850s to political nativism, a movement dedicated to the preservation of "pure" Protestant Americanism. The anti-foreign, anti-Catholic movement reached its apex during the middle 1850s with the rise of the American, or Know Nothing, party--the former name its official designation, the latter from the habitual reply of party members to inquiries about their secret organization.

Actually organized nativism was not new in the United States. Local Native American clubs had been formed in the 1820s, and during the 1840s nativist party candidates were successful in some state and local elections in New York and Pennsylvania. But native American clubs, often hidden from the public gaze behind a shield of mysterious ritual and garb, remained relatively isolated local phenomena until 1852. During the next two years, under the sonorous name, "The Order of the Star Spangled Banner," these clubs began to coalesce nationally. By 1854 the American party had held a national convention, passed a party platform, and was rapidly organizing in almost every state in the Union.<sup>6</sup>

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<sup>6</sup>Ray Allen Billington, The Protestant Crusade, 1800-1860 (New York, 1938), 198-211; Nevins, Ordeal, II, 323-28.

The party's growth was phenomenal, and the victories it began to win no less astounding. In 1854, for example, the American party, except for two lone seats in the lower house, swept the entire state government of Massachusetts. It captured Delaware likewise, and won over forty percent of Pennsylvania's vote and twenty-five percent of New York's.

In the South, too, the Know Nothing party also found fertile ground for growth. Aside from a few population centers like New Orleans, Baltimore, St. Louis, Louisville, and Nashville, the region had few immigrants or Catholics. Nevertheless, Sam, as the Know Nothings were commonly called, evinced an irresistible appeal for many southerners. Thousands of converts were attracted by its novelty, secrecy, and mystery. The party promised to initiate an era of political reform, freeing the country from corruption and the clutches of selfish, unscrupulous professional politicians. It offered also blessed respite from sectional quarrels, for it professed the principles of Unionism above all others--and it was "sound" on the slavery question. But more than any other attraction Sam offered thousands of southern ex-Whigs a national organization in which to continue opposition to the Democrats. For this reason alone politically homeless Whigs of the South flocked into Sam's dens and took Sam's oaths with reckless abandon.<sup>7</sup>

The Know Nothing party made its appearance in Georgia in the spring of 1854, and began a steady, silent campaign of growth. Sta-

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<sup>7</sup>Potter, Impending Crisis, 250; W. Darrell Overdyke, The Know Nothing Party in the South (Baton Rouge, 1950), 57-72; Cole, Whig Party in the South, 316-17.

tistically, Georgia was a state where the Catholic-foreign menace was almost invisible. In 1850 only 1.2 percent of the state's white population was foreign-born. Out of its 1,852 churches but eight were Roman Catholic. Most of the immigrant population were laborers or tradesmen concentrated in the cities of Augusta, Savannah, Maccn, and Columbus. But the Know Nothing party flourished in Georgia, especially in the old Whig districts across the middle of the state--Stephens and Toombs territory.

Little Aleck watched the progress of the new party with interest, as did any number of his constituents. During the winter of 1854-55 Congressman Stephens received numerous reports, inquiries, and requests for advice about what to do from home. For a time Stephens was non-committal. He was not really informed about the order or its objects, he told his correspondents, but he was inclined to oppose on principle all secret political societies. "In a republic every man should wear his principles inscribed on his forehead." However, any party pledged to oppose Democrats could not be completely devoid of merit. If the object of the Know Nothings in Georgia was "to drive out the ruling dynasty . . . , the Federal Union fire eating Johnson Democracy then we were likely to be found fighting on the same side. So far as that was concerned our cause was certainly . . . in common . . . though we might travel different roads to arrive at the same end."

Stephens was quite aware of the wrenching political changes going on about him, and when he wrote to Linton on New Years Eve he was in a prophetic mood: as for the Demccrats, he still considered them

"the foulest coalition known in our history . . . [s]tanding upon no policy but the division of spoils . . . & riotous living out of the public treasury." Nothing but doom, he thought, awaited such an organization. "Old parties, old names, old issues, & old organizations are passing away. A day of . . . new issues, new leaders, & new organizations is at hand."<sup>8</sup>

Stephens could not have been more correct--about the party situation at least. But he was dead wrong about the issues. With the passage of the Nebraska bill the slavery controversy had once again assumed center stage in American politics. And there it would remain. The issues were not changing, but the ways men would deal with them were changing. Heretofore the slavery question had been debated within the confines of a national two-party structure. But the Nebraska bill had irreparably shattered national Whiggery. In both the North and the South the American party rushed into the vacuum created by the demise of the Whigs. But political conditions in the North, where the Nebraska bill had enflamed antislavery feelings and where nativism failed to provide a suitable outlet for these feelings, favored the formation of yet another type of party, a strictly sectional organization dedicated to the containment and eventual extinction of slavery.

This new organization was the Republican party. Unlike the Know Nothings, who, as befitted their mysterious and somewhat conspiratorial character, sprang up mushroom-like overnight, the Republican

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<sup>8</sup>Rabun, "Stephens," 398; AHS to LS, 25, 31 December 1854, Stephens Papers, MC.

party was slower to form. But in the long run this new party had a staying power and the advantage of a coherent ideology which, within a few years, enabled it to dominate northern politics.

The summer of 1854 was a time of intense political activity all across the North, and the impact of this activity on existing party structures was profound. In every northern state, Democrats, enraged by the Nebraska bill, bolted the party. Like the antislavery and/or nativist Whigs, these men now stood outside the traditional party structure. Given the political ferment that the Nebraska bill had engendered, it was only natural that antislavery men should gravitate towards a common organization. And this, in fact, is what happened.

Under a variety of labels, and with varying degrees of cooperation from nativist and temperance organizations, these anti-Nebraska outsiders joined together to oppose the administration. The process took more time in some states than in others. Where the Whigs were weak, in the upper Midwest, for example, amalgamation of the antislavery men into one organization proceeded rapidly. In other states, like New York, for example, where the Whigs were stronger and better organized, the antislavery coalition party was slower to develop.

All of these groups contending for political power against the administration Democrats--the antislavery men, the nativists, the temperance men, and outright abolitionists--were political expressions of a multifaceted reform impulse in American society, an impulse which in many ways stemmed from the moral imperatives of evangelical Protestantism. As reformers, all of these groups, although their stated aims might differ, shared one common goal: the betterment of American



society and the removal from power of the forces of reaction which impeded the progress of reform. And where were these forces of reaction, the forces impeding progress, to be found? In the Democratic party-- the party of the grasping slavocracy, the party of the foreigner, the party of the hard-drinking Irish Catholic, the party of the Nebraska bill. And so, more often than not, nativists, nascent Republicans, and temperance men cooperated with each other to oust the Democrats.

And in the summer and fall of 1854 they were amazingly successful at it. Everywhere north of the Mason-Dixon line administration Democrats went down to defeat. Anti-Nebraska coalitions swept the New England states; the Know Nothings trampled everything in their path in Massachusetts. The story was the same elsewhere in the North: anti-Nebraska men captured seven of Indiana's eleven House seats, one of Iowa's two, four of New Jersey's five, three of Michigan's five, two of Wisconsin's three. Out of New York's bewildering mixture of parties and factions, the Seward-led "Wooley Heads," the anti-Nebraska, anti-nativist Whig faction, carried both the governorship and the majority of the state's thirty-three House seats. In Douglas' home state of Illinois, the anti-Nebraska/Whig combination won five of the nine congressional seats plus control of the state legislature. And probably most shocking of all was the result in Pennsylvania, a state which since Jackson's time had been virtually owned by the Democrats: out of twenty-six congressional seats, administration Democrats won only five. The balance were divided among various reform party candidates, Whigs, anti-Nebraska men, and Know Nothings. Howell Cobb put the matter pithily: "The Democratic party has been literally slaughtered

in the Northern, Middle, & Western States."<sup>9</sup>

Neither Toombs nor Stephens seemed too concerned about either the Democratic disasters or the apparent strength of the antislavery movement in the North. Despite its formidable appearance, thought Toombs, this new organization, "more narrow, sectional selfish & anti-liberal than even the old one," would die out after the fall elections. Stephens agreed. Like his friend, Stephens seemed oblivious to the extent of Democratic disaffection with the Nebraska bill. He blamed the troubles on the Whigs. "Hundreds of thousands" of these Seward-led Whigs, he confidently expected, would cease their agitation if the southern Whigs simply held fast to the principles of the Compromise of 1850 and the Kansas-Nebraska act.<sup>10</sup>

Stephens still discerned no cause for alarm when he returned to Washington in December 1854. "Everything is flat," he reported. "Nobody cared a cent for the [President's] message or anything else. I don't believe the tide of popular feeling or popular interest in public affairs ever run [sic] so low as at present." But it was not in his nature to be unconcerned with public affairs. Stephens was a diligent, hardworking congressman, and he was particularly busy

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<sup>9</sup>Potter, Impending Crisis, 246-54; Andrew Wallace Crandall, The Early History of the Republican Party 1854-1856 (1930, reprint ed., Gloucester, Mass., 1960), 21-26; Nevins, Ordeal, I, 329-31; Eric Foner, Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War (London and New York, 1970), passim; Howell Cobb to James Buchanan, 5 December 1854, TSC Corr., 348.

<sup>10</sup>Robert Toombs to George N. Sanders, 13 June 1854, quoted in Rabun, "Stephens," 383; AHS to William M. Burwell, 26 June 1854, Stephens Papers, LC.

this session by virtue of his position on the Ways and Means Committee of the House. (Typically, he also attributed his busyness to others' appreciation of his excellencies. "I never stood as high and as favorable in public estimation here as I now do," he boasted.)<sup>11</sup>

He was not too busy, however, to be miserable. Stephens could always find time for melancholy brooding, and during the holiday season he spent many hours bemoaning his fate, pouring out his loneliness and frustration to the ever solicitous Linton. "I am utterly enveloped in gloom," he wrote on Christmas Eve. "Darkness seems to be coming over me." The workaday duties of a congressman he could stand, he said, but the most oppressive duty of all was the "ordinary civilities and courtesies of life." To be constantly forced to hide "the aching void within" he found almost unbearable. The world offered him no sympathy. Even its praises were "most frequently served up in a sauce which is gall and wormwood to me."

What was tormenting Stephens was his recurring sense of remoteness from mankind. He found "no unison of feelings, tastes and sentiments with the world" and "very little of the pure essence of virtue . . . amongst men." "My habitation should be solitude," he concluded. Unfortunately, a politician must constantly mingle with the people. Solitude in Washington was a luxury a congressman, particularly one who stood so high in public estimation, could not afford. The mood was still upon him several weeks later, as he wrote to Linton:

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<sup>11</sup>AHS to LS, 4, 23 December 1854, Stephens Papers, MC.

I am low spirited. It seems to me if it were not for an effort that no other mortal on earth would make I should sink into profound insensibility--upon all things connected with men & their affairs. But with that effort that I daily exert, to the senseless herd about me I have no doubt I appear to be one of the most cheerful and happy men on earth.<sup>12</sup>

If this indeed was the impression Stephens conveyed, his "daily effort" must have been severely taxing.

Stephens did not spend all of his time with the senseless herd. Washington social life was pleasant, and Stephens made the usual round of convivial holiday dinners. He was still living with Toombs, and in January the two men gave a small dinner for Senator Dawson and his new bride, which, according to Stephens, "passed off elegantly." But the social whirl did little to cheer him. "If I had consulted my own inclination," he wrote after one magnificent dinner, "I should have spent the time in some solitary cell."<sup>13</sup>

Stephens did, however, consult his own inclination in Congress. He was not disposed to allow attacks on the Kansas-Nebraska bill to pass unchallenged. On 13 December Representative Daniel Mace of Indiana notified the House of his intention to introduce a bill restoring the Missouri Compromise line. As leader of the forces which had effected its repeal, Stephens claimed the right to reply, and did so the next day before packed galleries.

He began by saying that he would not spend much time defending

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<sup>12</sup>Ibid., 24 December 1854, 8 January 1855.

<sup>13</sup>Ibid., 26 December 1854, 4, 8 January 1855.

the Nebraska bill. The merits of the question had been "settled" during the last session, and they remained settled. "Revolutions never go backwards--always forward." What he did want to discuss was the recent elections in the North. Several northern representatives had interpreted these results as conclusive proof of the public's revulsion over the bill, and as a mandate to restore the Missouri Compromise. "I draw no such inference," said Stephens, and moreover the election results had not even surprised him.

Looking about the hall, Stephens pointed out anti-Nebraska men who had been defeated. Here were some from Pennsylvania, for example, and here several more from Massachusetts. What possible inference could be drawn from election results in Pennsylvania where a Nebraska man was elected Canal Commissioner by 100,000 majority and an opponent of the bill elected governor by 37,000 majority? "It simply shows that this question had very little to do with the results."

Stephens went on to find still more examples: four friends of the bill being elected to Congress from Illinois when only three from that state had voted for the bill; the anti-Nebraska candidate for governor in New York winning only one-third of the popular vote. (True, but Stephens glossed over the fact that it had been enough to win.) None of these elections, nor those in other states, proved any popular demonstration against the Nebraska bill. "They amount to nothing," said Stephens airily. Not even northern men could agree on explanations, some claiming the Nebraska bill caused Democratic defeats; others blamed the Know Nothings or the temperance men.

Stephens had his own theory to explain the results: "it was General Malcontent which caused it." The administration's patronage policy had produced widespread dissatisfaction in the North and it was these dissidents, the "Ramshackles," who had triumphed in the northern elections, "not the anti-Nebraskaites."

Little Aleck was just warming to his subject. Having demonstrated the triumph of "General Malcontent and the great party of 'Ramshackles,'" he went on to defend southern policy on internal improvements. Was it the South who consistently appealed to the government for money for internal improvements? No. Who had built Georgia's thousand miles of railroad? The citizens of the state, he answered, with taxes they levied upon themselves and with iron, on which, by the votes of northern men, they had been forced to pay a tariff.

Despite his promise not to discuss the Nebraska bill, Stephens then launched into his familiar defense of popular sovereignty and the "national" principles which underlay the bill. It was gentlemen like Congressman Mace, Stephens charged, who were setting themselves up as masters, refusing to the people of the territories their right to govern themselves. Mace and his anti-Nebraska cohorts would give to the territories "precisely that sort of freedom which closes the mouths of freemen, [the] sort of liberty . . . which says to freemen, 'You shall do as I please--it is a free country, it is true; but I will have my way, and you shall not say a word.'"

Recalling that Mace had offered an amendment to the Nebraska bill before its passage, an amendment allowing territorial legislatures

to admit or bar slavery, Stephens expressed surprise that the gentleman from Indiana now wished, by restoring the Missouri line, to deprive both the territorial legislature and the constitutional convention from acting upon slavery as they saw fit.

"Did the gentleman vote for my amendment?" Mace interrupted. It was a pointed question, for the power of the territorial legislature over slavery was precisely the matter which the Nebraska bill had left undefined. But Stephens handled the question easily:

I did not. . . . by the bill we had given the people all that we could under the Constitution. We could not grant more, and they could not exercise more if we granted it. . . . The government of the Territories, in my opinion, devolved upon Congress, in the first instance. It was our duty to govern them, or provide governments for them. I stated then . . . and now state, that I believe it was right and just for us to turn over our powers to the people, all the powers at least they can exercise under the Constitution.

This reply, of course, was orthodox southern doctrine: the powers of Congress, by popular sovereignty, had devolved upon the people of the territories--the constitutional powers, that is. Stephens' argument clearly implied that Congress could not constitutionally prevent slavery from entering a territory, for this would be denying legal protection to property. Therefore a territorial legislature could not bar slavery either. Syllogistically, his argument was sound, but the whole logical structure rested upon the definition of Congress' constitutional powers. And, as will be seen, Stephens did not deny to Congress the constitutional right to exclude slavery from the national territories in any and all cases. He rested his case for the

South on more esoteric grounds--he stood firmly on the grounds of Justice. "We stand upon principle," he continued, ". . . we stand, particularly on this question, upon the fixed and immutable principles upon which the constitution itself rests." Like William Henry Seward, who appealed to "a higher law" than the Constitution in the cause of antislavery, Stephens too was willing to join battle in these ethereal realms.

Little Aleck was still not finished. "There are some other topics to which I wish to allude," he said. These "other topics" turned out to be just one, a defense of slavery. For the rest of his speech Stephens regurgitated many of the pro-slavery arguments so familiar to the well-read Southerner of the 1850s: Negroes occupied their position in society in accordance with a "great immutable law of nature." A wise and just Creator had assigned blacks to their place.

He was prepared to argue "here or anywhere" that the relation of the races in the South "is the best for both of them." Take Negroes "anywhere on the face of the habitable globe," he said, and compare them with southern slaves. "The Negro population of the South are better off, better fed, better clothed, better provided for, enjoy more happiness, and a higher civilization . . . than anywhere else."

And he brought along a few figures to buttress his case, figures from the census of 1850. Whereas the free Negro population of the North had increased by 10.95 percent between 1840 and 1850, "the down-trodden, . . . abused, . . . half starved" slave population of the South had increased by 28.58 percent. "How can your missionaries of philanthropy and crusaders in benevolence account for this?" he asked archly.



Evidently considering that by this more-is-better argument he had sufficiently crushed the contention that slavery was a curse to the Negro, Stephens now turned to proving that it was no curse to the whites either. Again with the census figures called upon as witnesses, Stephens embarked upon an elaborate comparison of Georgia's agricultural output with that of Ohio. "I selected Ohio," he explained, "because it was one of the most prosperous of the North--often styled, and perhaps, justly too, the giant of the West." Probably to no one's surprise--Stephens was fast losing any pretensions to a national outlook--he "proved" Georgia's superiority.

With one-third less acreage, one-half the population, and on land valued far less than Ohio's, Georgia's dozen leading crops in 1850 were valued at \$38.4 million. The value of Ohio's eighteen leading crops, on the other hand, came to only \$38.1 million. "Away, then," Stephens concluded triumphantly, "with this prating cry about slavery paralyzing the energy of a people, and opposing the development of the resources of a country."

This rambling and discursive address, by almost any standard of logic or aesthetics, had been one of Stephens' worst. Nevertheless, he told Linton the next day that he had been "very much complimented" on it.<sup>14</sup> There is no reason to doubt Stephens' word. Most men in Congress by this time were hearing only what they wanted to hear anyway.

Lewis Campbell, Cincinnati congressman, answered Little Aleck

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<sup>14</sup>Cong. Globe, 33d Cong., 2d sess., Appendix, 35-39. Stephens' speech may also be found in Cleveland, Stephens, 416-32. AHS to LS, 15 December 1854, Stephens Papers, MC.

in remarks that were anything but complimentary. Campbell would not, he said upon gaining the floor, attempt to follow Stephens "through the various mazes in which he has groped his way;" he would "touch but cursorily" upon a few points. After deriding Stephens' opinion on the recent elections, and refuting his contention that the South had never asked anything of the government--had not the South got Louisiana, Florida, Texas, the Mexican cession? And was she not now angling to get Cuba too?--Campbell took up with pleasure the statistical battle between Ohio and Georgia.

Two could play this game, and Campbell evinced a fair skill. He charged Stephens (truthfully) with using a sliding price scale to arrive at his figures, assigning higher prices in Georgia than he had in Ohio to the same products. He also detected significant omissions of Ohio products from Stephens' list: hay, for example. Moreover, he noted that Stephens had selected 1850 as his year of comparison, a year in which Ohio had suffered a drought. After making his corrections, and equalizing the prices by assigning the current New York market values, Campbell proved that Ohio had bested Georgia in value of agricultural products by a score of \$145.8 million to \$65.4 million.

Not content with this demonstration, Campbell went on to prove that his state far exceeded Georgia in quite a few other categories: in livestock production, in railroad mileage, in value of manufactures, in number of colleges, public schools, churches, and newspapers. Indeed, he would concede to Georgia a lead in only one category, the number of adult white illiterates.<sup>15</sup>

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<sup>15</sup>Cong. Globe, ibid., 39-42.

Having satisfactorily disposed of Stephens in the "blackberry and crabgrass" arena--a term another Georgia congressman facetiously applied to it--Campbell then attempted to engage him in another, that of constitutional disquisition. This, however, was Stephens' home turf, and the Ohioan was considerably less successful there in proving Georgia inferiority.

Campbell attempted to pin Stephens down to a direct answer on the question of congressional power to exclude slavery from the territories. He failed. And for good reason. Stephens had never questioned congressional power to exclude slavery; he had always maintained a discreet silence on the subject. But he had consistently opposed the exercise of this power on the grounds of justice. Campbell's question was a trap. A denial of the power would have proved Stephens logically inconsistent because on several occasions he had voted for an extension of the Missouri Compromise line, an act which, of course, sanctioned congressional power over slavery north of 36°30'. On the other hand, a specific affirmation of the power would have been a gross departure from the Calhoun position, which by 1855 had attained the status of divinely-inspired doctrine in the South. This position was that Congress had no powers over slavery in the territories whatever. To deny this position would have declared the Wilmot proviso, not to mention the Missouri Compromise, to be constitutional. And even if he did believe this to be so, no southern politician with an ounce of sanity or the slightest regard for his political neck could say so publicly.

The most Campbell could elicit from Stephens was an indirect

answer:

Upon the question of power on this subject I [stand] where Chatham stood in the British Parliament upon the subject of taxing the Colonies without representation. Chatham looked not so much to the question of power as he did to the justice and propriety of its exercise. And with these views, without discussing the power, he said if he were an American he would resist the measure. I give the gentleman the same answer now.<sup>16</sup>

This reply naturally failed to satisfy the Ohioan, who continued to press Stephens for a direct answer. For the better part of Campbell's allotted hour the verbal sparring continued. Neither man gave way.

It was not in Alexander Stephens' nature to allow an opponent to have the last word. He was rankled by Campbell's attack on his statistics and even more infuriated by the newspaper reports of the Ohioian's speech. Campbell had followed a time-honored custom (in fact he announced his intention of doing so) of embellishing his recorded remarks with matter inserted afterwards into the record. Hence when the Globe's account, which most newspapers followed, was published, it contained statistics Campbell had not spoken. Stephens

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<sup>16</sup>Ibid., 328, 42-45. Stephens did, in fact, believe that the Wilmot proviso was constitutional. "You were right," he told Linton, "in your inferences as to my reason for not answering Campbell's question as a general proposition to wit Has Congress the power to prohibit slavery over a territory? My opinion is that if they were to do it the Supreme Court would hold it to be constitutional. Hence I always fought the Wilmot proviso because I thought there was something in it." AHS to LS, 6 January 1855, Stephens Papers, MC. For an excellent discussion of the evolution of Stephens' position on congressional power in the territories, see Jasper Braley Reid, Jr., "The Mephistopheles of Southern Politics: A Critical Analysis of Some of the Political Thought of Alexander H. Stephens, Vice President of the Confederacy" (Ph. D. dissertation, Univ. of Michigan, 1966), 15-31.

was outraged. "Not one word" of the statistics in the reports had he uttered, spat Stephens. "He was more than a week writing it out."

Not to be outdone, Stephens busied himself preparing his reply. He was ready on 15 January 1855. Word that he was to speak had circulated about Washington, and despite cold and nasty weather a huge throng ("a common audience," in Stephens' opinion) crowded the galleries to enjoy the show. The crowd, said one reporter, "was the largest . . . assembled during the present Congress--in fact it reminded the 'old inhabitants' of the times when thronging and anxious crowds poured into the galleries and filled up all the vacant places, to hear Calhoun, Clay, and Webster."<sup>17</sup>

Campbell had allowed Stephens to interrupt his remarks in December. Stephens, however, was annoyed when the Ohioan attempted to do so during his speech. He did not object to Campbell's amplification in the printed record, he said, "but, sir, I have something to say in reply to these statistics . . . a great deal to say in reply to them."

Actually, Stephens had a great deal to say on matters beyond statistics. These he turned to first. He had never claimed that the South got nothing or asked nothing from the Federal government, only that "the South asks but few favors." As for territorial acquisitions, the North, in terms of square miles, had received more than twice the amount the South had. After a long digression on Cuba--"in every point of view, where is the objection to the acquisition of Cuba, if it can

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<sup>17</sup>AHS to LS, 6 January 1855, Stephens Papers, MC; correspondent of the Macon Messenger, quoted in Cleveland, Stephens, 432.

be honorably and properly acquired?"--Stephens got to the heart of his address, refuting Campbell's invidious comparison of Georgia and Ohio.

Not only did he recapitulate his first list of products, quantities, prices, and valuations (everything from Indian corn to flax in Ohio, cotton to canesugar in Georgia); but he also called upon the weighty authority of Adam Smith to defend his "sliding scale" of prices. It was absurd, argued Stephens, to assign New York prices to products of Georgia and Ohio. However, he continued, "for the sake of the argument" he would use another set of prices, prices prevailing in Ohio a little more than two years ago. With a flourish Stephens produced a paper which he had dug out of his files--a list of the prices of Ohio's chief agricultural products, a list which had been produced by none other than Lewis Campbell. By using this new list Stephens now accused Campbell of doing some "sliding" of his own, "sliding" with a vengeance, as we sometimes say down South!"

Needless to say, the new set of computations once more put Georgia in the lead: \$41.7 million to \$41.2 million, about twice the previous difference. But this was merely the beginning. In a fantastic display of sophistical statistical juggling, Stephens proceeded to bury Campbell, the House, and the crowd under an avalanche of figures. By the time he had finished anyone would have been fortunate to remember a single point he had made. He "proved," among other things, that Georgia had more hogs, more debt-free railroad track, more colleges and students and churches per white inhabitant, less crime, fewer convicts and paupers than did Ohio. At one point Campbell attempted

to register a feeble protest about the accuracy of some of Stephens' figures--and got his head bit off for his troubles. "No, sir," Stephens snapped. "I am never wrong upon a matter I have given as close attention to as I have given to this."

Stephens closed this remarkable performance with a deep bow to the throne of King Cotton. Campbell had had the temerity to compare Georgia cotton with Ohio hay--unfavorably, of course. The refutation of this argument called for yet more figures: the tens of thousands of workers and seamen and tons of shipping engaged in cotton transport; the thousands of mill men and millions of dollars invested in cotton manufacture; the millions in wages these workers earned--not to mention the hundreds of thousands of southerners engaged in cotton production. "Figures almost fail, sir, to calculate the extent of the influence of this article upon the comfort, the happiness and well being of mankind." Who, exclaimed an amazed Stephens, in the face of such facts could dare to compare cotton with a hay crop, "dried grass . . . cow food?"<sup>18</sup>

Stephens thought his speech "capital," but the Washington press did not agree. The speech was largely ignored, probably because it was tendentious and boring. But Stephens discovered other reasons. "The whole press is Freesoil in my opinion," he said. "The Southern members were and are jealous of me--the Democrats and as for the whigs they are too few to count."

Stephens was morbidly sensitive on any point touching his mental prowess, and for the next few days he dwelled incessantly on the speech.

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<sup>18</sup>Stephens' speech in ibid., 432-58, and Cong. Globe, 33d Cong., 2d sess., Appendix, 103-08.

In his opinion he had "utterly extinguished" Campbell, an antagonist for whom he had only "contempt . . . from the beginning." But praise for the speech had been less fulsome than usual, and Stephens even suspected his Georgia friends, Bob Toombs and David Reese, both of whom had praised the speech, of harboring secret feelings of jealousy. And as for the southern press--Stephens could express his contempt for it only in a rare (for him) scatological image: "It does nothing but revamp Northern ideas Northern news and Northern sentiments. Its daly [sic] food is that which the Northern press has not only eaten first but thrown out as excrement . . . thrice digested sh--."

But even Linton, presumably an unbiased critic, found parts of the speech "somewhat Bentonian" in tone and, therefore, "regarded by good judges as out of taste." But Linton had immediately discerned the purpose of the speech, a vindication of the slave system, and on this account he thought it "the greatest speech you ever . . . made, . . . marking more distinctly than any other in American history, the commencement of a new era."<sup>19</sup> So logically warping had the defense of slavery become that even Linton Stephens, a man of uncommon intelligence actually believed such rubbish.

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<sup>19</sup>AHS to LS, 18, 21 January 1855, Stephens Papers, MC; LS to AHS, 24 January 1855, ibid. Georgia papers, despite Stephens' blanket condemnation of the southern press, praised the speech to the skies. See, Rabun, "Stephens," 395. As the South came under increasing attack in the late 1850s, and Georgians became more paranoid, Stephens' speech served to flatter and reassure them about the merits of their social system. It was reprinted several times in the following years. The speech "gave Mr. Stephens more character than any he ever delivered in Congress," said one editor. Atlanta Southern Confederacy, 7 June 1861.



There was no new era commencing, but Stephens was about to embark on a new course in politics. He left Washington in late January--missing, in the process, Campbell's final shot in the "blackberry and crabgrass" wars--and returned to Georgia to defend an accused murderer in court at Augusta. As he travelled about the circuit that spring Little Aleck was amazed to discover the inroads the Know Nothings had made among his constituents. As if to confirm the fact, on 9 April the Know Nothings elected the mayor and eleven of twelve city councilmen in Augusta.

A week later Stephens decided to retire, and he so informed the courthouse crowd in Oglethorpe county. He would not, he said, be a candidate for reelection. "The old Whig party is about to be sold out to the Know Nothings." Far from proscribing foreigners and Catholics ("the leading idea now sought to be inculcated upon the Whigs"), said Stephens, he "would hail every one of them when naturalized as a political brother and ally" in the fight against the real enemy: the freesoilers and abolitionists. "To crush them out I would join with any honest man be he 'Jew or Gentile', American born, Northern or Southern, or adopted citizen." A few days later he reiterated these opinions to a crowd in Augusta--but he entertained scant hope that he had done much to arrest the spread of Sam. "The virus is too deep," he said sadly. "It will break out again I'm gone."<sup>20</sup>

Privately, too, Stephens was informing his associates of his opinions. How incredible, he thought, that the South could find any

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<sup>20</sup>Augusta Chronicle and Sentinel, 10 April 1855; AHS to LS, 20, 25 April 1855, Stephens Papers, MC.

merit in the Know Nothings. Why look what the Know Nothing legislature of Massachusetts had just done: passed laws proscribing naturalized white foreigners, while at the same time permitting blacks the franchise. "They are for elevating the black man and degrading their own kith and kin. This is but a Yankee notion--a new patented idea for making white men slaves--menial servants at least--instead of following the order of nature and making slaves of those suited mentally & physically for that condition."

Thus far Stephens' opinions had been spelled out only to a few friends, but his offhand comments on the circuit had fueled a spate of rumors in the state press. Since Sam's appearance the Whig papers of Georgia had generally maintained an attitude of benign neutrality towards the secret order. Any party which hated the Democracy merited a careful scrutiny, however; and as the Americans began to demonstrate political potential--a potential directly proportional to the amount of space outraged Democratic editors were devoting to it--many Whig editors felt compelled to enter Know Nothing's ranks. One such editor was William S. Jones of the Augusta Chronicle, for many years an unquestioning adherent of the Stephens-Toombs line in Georgia politics. Still undecided about the new order in April 1855, but weakening fast, Jones wrote hopefully that, although Stephens and Toombs were not Know Nothings, "their sympathies are with the order in all proper efforts to relieve the country from . . . the miserable tricksters and time serving demagogues, who constitute the present . . . administration."<sup>21</sup>

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<sup>21</sup>AHS to Warren Aiken, 22 April 1855, ibid., EU; see also id.

Jones was certainly correct about Stephens' opinion of the Pierce administration, but woefully misinformed about Little Aleck's sympathies for Sam. Neither Jones nor the rest of the state were long in discovering exactly where Stephens stood on the Know Nothing question.

In early May Stephens received a letter from Elberton lawyer and longtime friend, Thomas W. Thomas, soliciting his opinions on the Know Nothing party. Rumors had it, Thomas wrote slyly, that because so many in his district had become members of the order Stephens was declining to run for fear of being defeated. Nothing could have been more calculated to raise Stephens' hackles than an insinuation of cowardice. Thomas received his reply immediately in a thundering letter which was prominently published in almost every important paper in the state. "North, South and West," said the Savannah Georgian, "in every region of Georgia, it is the subject of discussion."<sup>22</sup>

The rumors of his retirement were true, Stephens acknowledged curtly. Since many of his constituents had entered the secret order, he had concluded "that they had no further use for me as their representative." He was not about to become "a dumb instrument" for accomplishing secret aims and purposes. He never had, and never would, solicit votes "with my principles in my pocket."

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to "Dear Duncan," 6 May 1855, ibid. Macon Telegraph, 3 April 1855, quoted in Augusta Constitutionalist, 6 April 1855; Columbus Enquirer, 24 April 1855; Columbus Times, 20 April 1855, quoted in ibid., 1 May 1855; Augusta Chronicle and Sentinel, 8 April 1855.

<sup>22</sup>Savannah Georgian, 21 May 1855, quoted in Rabun, "Stephens," 402; Thomas W. Thomas to AHS, 5 May 1855, in Cleveland, Stephens, 459.

Indeed, it was the secrecy of the Know Nothings that he found most repelling. "Truth never shuns the light nor shrinks from investigation. . . . All questions . . . relating to the government of a free people, ought to be made known, clearly understood, fully discussed, and understandingly acted upon." No one who was not willing to avow openly his objects, purposes, and principles was fit to represent a free people. This was the very basis of representative government. "Political ruin" would "inevitably" result from the triumph of a secret party.

The order's secrecy was repugnant to Stephens, but no less so than its "two leading ideas:" the proscription of both Catholics and foreigners. As a basis of party organization these ideas were ruinous: they looked "not to how the country shall be governed, but who shall hold the offices." As a basis of public policy they were every bit as bad: they were un-American. "I am utterly opposed to mingling religion with politics in any way whatever. . . . As a citizen and as a member of society, a man is to be judged by his acts, and not by his creed."

Catholics especially, Stephens continued, were the last people whom southerners should proscribe. As a church, "they had never warred against us or our peculiar institutions. No man can say as much of New England Baptists, Presbyterians, or Methodists." Cooperating with New England puritanism to strike down the best friends of the South Stephens considered little short of insanity:

Let [Catholics] and their religion be as bad as they can be, or as their accusers say they are, they cannot be worse than these same puritanical accusers, who started this persecution against them, say that we are. They say that we are going to perdition for the enormous

sin of holding slaves . . . for my part, I would about as soon risk my chance for heaven with [the Pope], and his crowd too, as with those self-righteous hypocrites who deal out fire and brimstone so liberally upon our heads.

Proscription of foreigners, Stephens continued, was not only "at war with all my ideas of American republicanism," but positively perilous in its consequences. Persecution of foreigners would not halt immigration, and if the Know Nothings succeeded in extending the period of naturalization from five to twenty-one years as they proposed to do, then "we should have several millions of people in our midst--men of our own race--occupying the unenviable position of being a 'degraded caste' in society, a species without the just franchise of a freeman or the needful protection due to a slave." In short, a class of potential revolutionaries would be created.

But even more dangerous than this was the ultimate purpose Stephens purported to see behind the movement: nothing less than "an insidious attack upon the general suffrage." The money capitalists of the North, "wishing to dispense with laborers and employees," had seized upon the movement to effect "their old, long-cherished desire . . . to have a votingless population to do their work, and perform all the labor, both in the city . . . country, which capital may require."

There is no direct evidence that Stephens had ever read George Fitzhugh's Sociology for the South, a sociological defense of slavery published in 1854, but the idea he was expounding here bears a close affinity to Fitzhugh's general contention that a free labor system

inevitably led to economic and political exploitation of the laboring class by the capitalists. The proposed twenty-one year naturalization laws, Stephens went on, would not slow immigration. Indeed, whole cargoes of foreigners would be "bought up" in Europe and shipped to America, all as part of a diabolical plan:

The whole sub stratum of northern society will soon be filled up with a class who can work, and who, though white cannot vote. This is what the would-be lords of that section have been wanting for a long time. It is a scheme with many of them to get white slaves instead of black ones. No American laborer, or man seeking employment there, who has a vote, need to expect to be retained long when his place can be more cheaply filled by a foreigner who has none. . . . This is the philosophy of the thing.

In the final part of his letter, Stephens turned his attention to more immediate dangers. The Georgia Know Nothings had recently met in convention at Macon and passed a resolution denying the constitutional power of Congress to prevent a state's admission to the Union because it recognized slavery. This resolution, scoffed Stephens, "simply affirms most meekly and submissively what no [southerner] for the last thirty-five years would venture to deny." But southern Know Nothings had no intention of standing by this resolution anyway. Organic law in the territories allowed the vote to any person who declared his intention of becoming a citizen. Thus the Know Nothings would betray the rights of the South, Stephens said:

Kansas, in two elections under this law, has shown that an overwhelming majority of her people are in favor of slavery. Now, then, when Kansas applies for admission as a slave State, as she doubtless will, a southern "Know-Nothing," under this resolution can unite with his "worthy brethren" at the North, in voting against it, upon the ground that some have voted

for a constitution recognizing slavery, who had not been "naturalized," . . . For this resolution, in its very . . . core, declares that the right to establish slave institutions "in the organization of State governments belongs to the native and naturalized citizens," excluding those who have only declared their intention. A more insidious attack was never made upon the principles of the Kansas and Nebraska bill.<sup>23</sup>

What is noteworthy about this lengthy letter (it sprawled over three or four columns in most papers) is not that Stephens opposed the Know Nothings. This was to be expected from a man who revered the Constitution and the charter of liberties it guaranteed. To be sure, Stephens had argued strenuously against the secret order on the grounds that it espoused principles both un-American and unconstitutional. But the main thrust of his argument was sectional: the Know Nothing order was the catspaw of New England abolitionist puritanism, northern capitalists, and enemies of the Kansas-Nebraska bill. Even more arresting was the indication that he had already convinced himself that Kansas would "doubtless" become a slave state--a possibility, it will be recalled, that almost the entire South was denying only a few months before--and was willing to use this issue to score his domestic political antagonists. That a man of Stephens' conservatism, moderation, and devotion to constitutional forms could, on the paltry evidence of two small elections, come to this conclusion, and then so

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<sup>23</sup>AHS to Thomas W. Thomas, 9 May 1855, ibid., 459-71. Bob Toombs likewise denounced the Know Nothings in a public letter a few weeks later, arguing that true southern policy was to forget all party divisions and unite against enemies of the Constitution, the Union, and Southern Rights. Robert Toombs to T. Lomax, 6 June 1855, TSC Corr., 350-53. The two elections in Kansas that Stephens referred to were for territorial delegate to Congress and territorial legislature. Both had been won, by highly questionable methods, by the proslavery faction. See below, pp. 497-98.

readily grasp the Kansas issue as a political weapon, speaks volumes for the intensity of the sectionalization that was occurring in the mid-1850s. Under the pressure of northern attacks the ante for staying in the game of southern politics had been perilously hiked. Men were now being forced to wager their political careers on but a single blue chip, a slave state in Kansas. And the game was just beginning--it would be two years yet before those bets were called.

Stephens' blasts against the Know Nothings rolled like a thunder-clap across the state. Papers friendly to the Know Nothings, like the Columbus Enquirer and the Macon Journal, rejected Stephens' ideas, but nevertheless expressed the hope that his difference of opinion with his constituents would not deprive them of his services in Congress. Others, like the Southern Recorder, were less kind, stopping just short of the declaration that Stephens was "hopelessly mad," and expressing particular disgust in the Democrats' reactions to the letter. These, shivered the Recorder, were "startling monstrosities in the political world." Democratic editors, as the Recorder's horror suggests, were highly gratified by Stephens' pronouncements. Some of these editors, carried away in their enthusiasm, even went so far as to bestow upon Stephens such unwonted accolades as: "an honest man" (Milledgeville Federal Union) and "a deep thinker and a profound politician" (Macon Telegraph). The Savannah News, an independent paper, was so moved by the letter as to suggest Stephens' nomination for governor by "THE CONSERVATIVE MEN OF ALL PARTIES." And the Chronicle, not yet ready to desert Stephens, decided that it would be the better part of



valor not to oppose him. The Know Nothings, it said, had neither "the power or the will" to eject "the ablest man in Congress" from his post.<sup>24</sup>

Little Aleck, too had neither the power nor will to remove himself from the upcoming campaign. Two weeks after his letter, which, he said, had "kindled a blaze in Sam's camp," he told Linton that he intended to enter the race. The repeated taunts that he was afraid to run had made up his mind. "I may be beaten," he wrote resolutely, "but I may sow seeds of truth in the canvass that may hereafter save the country." Accordingly, in a fiery speech from the City Hall steps in Augusta on 28 May, Stephens declared his candidacy for Congress. Vehemently defending his record, he scornfully denied that he was afraid to run: "I am afraid of nothing on the earth, or above the earth, or under the earth, except to do wrong . . . I would rather be defeated in a good cause than to triumph in a bad one." He was presenting his name "by myself," he said, and not as the candidate of any party. His sole pledge was, if elected, to maintain the rights, interests, and honor of the district and the state. He then launched into a two-hour tirade against the Know Nothings.<sup>25</sup>

The campaign into which Stephens had so forcefully thrust

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<sup>24</sup>Columbus Enquirer, 22 May 1855; Macon Journal and Messenger, quoted in Augusta Chronicle and Sentinel, 19 May 1855; Milledgeville Southern Recorder, 22, 29 May 1855; Macon Telegraph, quoted in Savannah Morning News, 17 May 1855; Milledgeville Federal Union, 22 May 1855; Savannah Morning News, 15 May 1855; Augusta Chronicle and Sentinel, 5 May 1855.

<sup>25</sup>AHS to LS, 24, 26 May 1855, Stephens Papers, MC; Augusta speech in Cleveland, Stephens, 472-89.

himself was reminiscent of the rancorous clashes of bygone days. After a one-year respite the state was once again embroiled in a state-wide political donnybrock every bit as furious and bitter as the memorable clashes of 1850-52. Many old line Whigs and a smattering of old Union Democrats had entered the ranks of the Know Nothings rather than reconcile themselves to affiliation with the odious Democracy. But these times of party upheaval provided more than one halfway house for the politically disconnected. As an alternative to crusading against the Pope and his minions, Georgians might choose instead a crusade against Demor. Rum and his grogshcp brigade. In fact, the Temperance candidate for governor, Basil H. Overby, was the first to enter the lists. In Atlanta on 22 February, after sober consideration, eighty delegates had tendered him the nomination. Overby's platform declared for repeal of the state's liquor-license system.

At least the temperance men were successful in fielding a candidate. Another group of singularly committed Georgians attempted to arouse enthusiasm for southern unity. Dubbing themselves the Southern Union movement, this small group of Southern Rights partisans met in Columbus on 26 May and urged Georgians to abandon their internecine quarrelling and present a united front to the northern enemy.

But neither the Democrats nor the Know Nothings would have anything to do with this appeal. The former, meeting in convention on 5 June at Milledgeville, served notice that they considered the Democratic party the bulwark of southern rights. The delegates re-nominated Governor Hershel Johnson and approved a platform praising

the Georgia Platform (especially the resistance sections), the Kansas-Nebraska bill, and those patriotic northern Democrats who had voted for it. The convention also passed a resolution introduced by Cobb that endorsed retaliatory legislation against northern states which had passed personal liberty laws nullifying the Fugitive Slave act.

Thus scorned by the Democrats, the Southern Union Movement looked hopefully to the Know Nothings for encouragement. It received none. The new party met in Macon on 27 June and nominated Judge Garnett Andrews, a former Whig and neighbor of Toombs', for governor. Platform resolutions endorsed the Georgia Platform, denounced Pierce's Kansas policy, and lauded the Kansas-Nebraska act except for its section enfranchising foreigners. Andrew's acceptance letter, which appeared a few days later, expressed faith in the nationalism of the northern Know Nothings and distrust in northern Democrats.

Neither of Georgia's major parties had been willing to desert its northern allies; thus, the Southern Union Movement sank into oblivion. The Temperance party, meanwhile, was severely weakened; not only because Sam had demonstrated such strength, but also because Governor Johnson was himself a dedicated and well-known teetotaler. It was inevitable that the ensuing campaign, given the general consensus of the major parties on the slavery issue, would degenerate into one of vicious mudslinging.<sup>26</sup>

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<sup>26</sup>Montgomery, Cracker Parties, 135-36, 141-47. Stephens had no sympathy whatever for the temperance movement. "I look upon it as one of the foolish isms imported from the North," he said. "Temperance depends upon the tone of a people's morals . . . you can't make them sober by laws." AHS to Warren Aiken, 22 April 1855, Stephens Papers, EU.

That it did--and promptly. And prominently featured in the unedifying spectacle was the Hon. Alexander H. Stephens. At first the middle Georgia Know Nothings were not disposed to oppose Stephens' reelection, but Little Aleck's incessant and savage attacks compelled them to reply in kind. "The disease," said Stephens upon being urged to tone down his attacks, "is . . . not for plasters, but for the knife." "From the beginning to the close," wrote Dick Johnston, "he was denunciatory to the highest degree of passion."

Stephens was not at all well and the heat that summer, even by Georgia standards, was hellish. Nevertheless, he embarked on his most vigorous campaign since 1850, speaking in hamlets and towns all over his district and ranging over a considerable portion of the rest of the state, from Savannah to the north Georgia hills and into the adjoining Seventh district.<sup>27</sup>

There were several reasons for this display of energy. In the first place, and most importantly for Stephens, the campaign was a crusade for the Constitution and personal vindication of his own judgment--either of which crusades could rouse him to the heights of passionate activity. Moreover Linton was a candidate for the seat in the Seventh district, facing strong Know Nothing opposition and unable to call for help from Toombs, who was on a trip to Europe. Stephens had also lost the services of the Chronicle, for Editor Jones had finally fallen off the fence into the Know Nothing camp. Evidently Stephens' friend Thomas had foreseen this defection and attempted to

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<sup>27</sup>Rabun, "Stephens," 406-07; Johnston and Browne, Stephens, 298; Johnston, Autobiography, 140; Simpson, Cobb, 101.

purchase the paper, but the attempt had failed. So to a certain extent Little Aleck's voice in the Eighth district was muted.

To a certain extent only, for Georgia's Democrats were beginning to discover virtues in Stephens that they had never before suspected. They reasoned that a man must be sound who denounced the American party as "revolutionary," as "anti-American, anti-republican, [and] at war with the fundamental law of the Union," as worse than the seven-headed hydra of the Apocalypse, and as "a boa constrictor" attempting to crush the government, who, moreover, accused that party of attempting to restore the ban on slavery above 36°30' thus depriving the South of "Kansas as a slave state . . . and perhaps more," and who lauded the forty-four northern Democratic supporters of the Nebraska bill as "the only nucleus [around which] a sound National party . . . ever can be formed." For the first time in his long career, therefore, Stephens received the endorsement of a Democratic newspaper: on 31 July the Federal Union ran his name up on the masthead as its "Independent" choice for congressman, Eighth district.<sup>28</sup>

For his part Stephens preferred to maintain the fiction that he represented no party. But the truth is he had become a Democrat in everything but name. So laudatory of the Democratic platform had he been in private conversation with James Gardner, editor of the Constitutionalist, that this Democratic stalwart was convinced "that

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<sup>28</sup>AHS to Thomas W. Thomas, 7 June 1855, TSC Corr., 353; epithets in Augusta Constitutionalist, 8 June 1855; Kansas as slave state in AHS to Wm. S. Jones, 17 September 1855, Augusta Chronicle and Sentinel, 20 September 1855; defense of northern Democrats in Milledgeville Federal Union, 17 July 1855; ibid., 31 July 1855.

he is with us heart and soul not for the campaign only, but for the war." "For personal reasons" (i.e., the long-standing feud), explained Stephens, he could not vote for Johnson. He would have supported any other man in the party. He "might" vote for Andrews, Stephens told Linton later, if he would disavow the Know Nothing creed--an event about as likely as a snowstorm in Georgia during this sizzling summer. "every man in this campaign," concluded Little Aleck, "must 'tote his own skillet."

So Stephens "toted his own skillet" through the entire campaign. "Follow the truth, and you will find me in the crowd," he declared in Appling. In Sparta he expressed similar sentiments. He was not defending the Democratic party, he averred. "It has much bad material in it." It was only "demagogues and small men" who were charging him with having switched parties. "It makes no difference with me," he shouted. "By the truth, by the Constitution, and by your rights and my own, I will stand or fall." In Jefferson county, late in the canvass, Stephens was still insisting that he stood in magnificent solitude: "As well might the morning owl attempt to locate the eagle, or the wolf attempt to locate the majestic lion, as [anyone] to locate ME."<sup>29</sup>

It was just such enraging pomposity--not to mention Stephens' unrelenting attacks on their party--that drove some Know Nothings positively wild with fury. For it could have only been temporary insanity which prompted one "Ivanhoe," whose letter appeared in the

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<sup>29</sup> James Gardner to Howell Cobb, 12 June 1855, Cobb-Erwin-Lamar Papers, UG; AHS to LS, 30 June 1855, Stephens Papers, MC; Augusta Chronicle and Sentinel, 4 July 1855; Milledgeville Federal Union, 17 July 1855; Milledgeville Southern Recorder, 25 September 1855, quoting the Wilkes Republican.

Chronicle, to accuse Stephens of being "a polygamist in principle," "a Mormon missionary," "a licentious reprobate," and "a hideous deformity of a man." Such scurrility, even by Georgia's none-too-exacting standards, was unprecedented; but it serves well to illustrate the tenor of a campaign whose only virtue was that it ended. Appeals to the racial, political, and sectional prejudices of Georgia's voters were nothing new; but in the campaign of 1855, with the Know Nothing party and its unblushing appeal to religious and national prejudices, in addition to the old standbys, Georgia politics reached its slimiest nadir.

A large amount of the credit for crushing this agent of bigotry in Georgia must go to Alexander Stephens. Judged by almost any standard, save that of quietude, his campaign was a magnificent display of political skill and personal courage. The possibility of defeat, which he thought likely in the beginning, could not stop him. He was determined "to give them a fight they will . . . remember."<sup>30</sup> And he did--with gloves off, just like his opponents. And he did it alone--without a party, and without a newspaper in his corner. In retrospect Stephens' decision to fight this fight alone is easy to understand.

As he himself recognized, perhaps as early as 1853, but surely after the Nebraska act, the Democratic party was the only secure bastion for southern rights within a national political framework. And by the summer of 1855 he had realized that the Democracy was the only national political organization still containing trustworthy allies for the South. He had to make his move. But Stephens could not simply announce his

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<sup>30</sup>"Ivanhoe" in Augusta Chronicle and Sentinel, 18 September 1855; AHS to LS, 24 June 1855, Stephens Papers, MC.

conversion. For doing this, without first obtaining the sanction of a constituency which had followed his every lead for over fifteen years, would have been an act of grossest political disloyalty. After all, joining the ranks of a life-long enemy was not a step to be taken lightly, even if it could be explained with the best of reasons. But Stephens had an even more important reason for remaining independent in 1855. He could not betray himself--at least his own conception of himself as a leader among men, and a man of unshakeable integrity and honor.

This is why he fought the Know Nothings with such unparalleled ferocity. This secret order, based on principles so inimical to his conception of American constitutionalism, was not only a political threat, not only a threat to the South--it was also a personal affront, a garish trollop that had seduced hundreds of his faithful followers from the path of righteousness they had so long followed under his lead. To run to the shelter of the Democracy in the face of such an affront was to Stephens quite unthinkable. He had to wage this last campaign as an Independent. To have done less would have been an open admission that his political course for the last five years was wrong--and frank admission of error was never one of Stephens' virtues; but even worse, it would have been an act of cowardice--and a coward he was not.

Even before the campaign entered its final stages, Stephens knew that he would win, although he predicted that his majority would be small. But as the prospects for victory in his own district brightened, they were simultaneously fading in the Seventh, where Linton was fighting



an uphill battle. Linton had entered the race in June, also as an Independent; but he had to run in an area where Sam was particularly potent. "In you and about you," Stephens told Linton at the beginning of his campaign, "are centered all my hopes and aspirations. . . . I shall feel and take much more interest in your success in this race than my own."

Stephens' hopes were doomed to disappointment. The combined efforts of both him and Toombs (who had returned from Europe in early September) to put Linton over in the Seventh district failed--by a margin of about two hundred votes. Considering the odds against him in April, Stephens won a smashing victory in his own district, defeating Lafayette Lamar, a Lincolnton lawyer, 5,808 votes to 3,079 votes. He carried ten of eleven counties, losing only Richmond, where Augusta was located.

The Know Nothing party ran well in the cities, but that was the only place it did. The Democracy otherwise ran rampant over the state: Johnson was reelected with 54,476 votes to 43,750 for Andrews and 6,261 for Overby. Counting Little Aleck's district ("ONE THOUSAND CHEERS FOR THE UNTERRIFIED AND INDEPENDENT WHIGS--ONE THOUSAND AND ONE FOR A. H. STEPHENS!!" hosannaed the Federal Union), Democrats had carried six of eight districts, among which was the Sixth, where Howell Cobb triumphed by a two-to-one margin. In the General Assembly, too, the Democrats won substantial majorities.<sup>31</sup>

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<sup>31</sup>AHS to LS, 17 September, 23 June 1855, ibid.; Milledgeville Southern Recorder, 16 October 1855, for election returns; Milledgeville Federal Union, 9 October 1855.

Once vindicated by his constituents, his self-respect and honor secured, there was no reason for Little Aleck to delay longer his entrance into the Democratic party. But even now he preferred--perhaps as a gesture to the sensibilities of his followers, and certainly as a way least painful to himself--to do so by indirection, in a speech at Milledgeville on 16 November, the night before Johnson's inauguration. The address combined two elements, one familiar, one not--a vigorous assault on Know Nothingism and profuse praise for victorious Democrats all over the country, but especially those in Georgia. Toombs, too, announced his conversion, also in characteristic fashion. The South's fate, he roared, was inextricably bound with that of the national Democratic party. It had been since the Nebraska struggle. Never again, pledged Toombs, would he fight Democrats.

Toombs and Stephens' new associates could not have been more pleased. The acquisition of these two luminaries, along with a substantial number of their adherents, had long been--ever since Cobb's efforts in the early 1850s--a cherished goal for national-minded Democrats. Not the least gratified was Governor Johnson, a man who had himself migrated from fire-eater to national Democrat. It was at Johnson's urging, in fact, that Howell Cobb encouraged the new converts' presence in Milledgeville. Johnson intended to do even more; he intended to patch up his eleven-year estrangement from Stephens.

But Little Aleck acted first. He and Toombs called on Johnson to congratulate him on his reelection. The handshake that Hershel Johnson exchanged that day with Stephens initiated a friendship between

the two former enemies that was to end only with Johnson's death in 1879. "The fires are out," wrote Stephens, "and let them stay so." Only Toombs could claim a closer friendship with Stephens than Johnson through all the terrible years that still awaited them.

So elated were the Democrats with their new converts that they waived Baptismal rites for Stephens and Toombs and bestowed immediate Confirmation. At the Democratic caucus, which met on 8 November, both men--and, for good measure, Linton Stephens also--were given places on the resolutions committee to draw up platform planks for the state convention, scheduled to meet in January.<sup>32</sup>

The party was facing a difficult challenge. There was a fearful new menace looming up in the North--the Republican party. And against this danger the Georgia Democracy primed its guns. Congressman Alexander Stephens, Democrat, was about to enter the most tumultuous years of his antebellum career.

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<sup>32</sup>Ibid., 13 November 1855; Montgomery, Cracker Parties, 155-57; Hershel Johnson to AHS, 17 November 1855, Stephens Papers, LC; AHS to Hershel Johnson, 19 April 1856, ibid.

## CHAPTER XII

### THE DEVIL TO PLAY IN KANSAS

No sooner had Stephens returned to Washington in late November 1855 than he began to regret his ever having run for reelection. Public life, he said, "is not worth the candle." Part of the reason for his complaint was the cost of living in the capital--it was high. Rooms at a hotel for himself and a body servant were too expensive--\$150-175 a month--so Stephens took a room at Crutchet's boardinghouse at the corner of 6th and D streets. The new lodgings were not without their benefits: the landlord was a French chef, and the meals were so fabulous that even Stephens, no gastronome, was appreciative. But gourmet food only partially compensated for his absence from home, where his crops--he had enjoyed his most bountiful yields ever this past season--and his law practice required increasing attention.<sup>1</sup>

Stephens soon shook off his crotchety dissatisfaction with Washington's inconveniences. In the first place, there were also political matters requiring his attention, and his dissatisfaction with affairs of state shortly overshadowed other irritations. And in the second place, he was enjoying the association of his new political affiliates. "These Northern Democrats," he told Linton with typical

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<sup>1</sup>AHS to LS, 30 November, 23 October, 24 November 1855, Stephens Papers, MC.

modesty, "seem to think more of me than any one of their old party line men. They have confidence in my integrity." "Georgia is held in high estimation," he continued. Men from all over the South "say they made the fight upon my lead & the Ga. line."

Several days after Stephens penned these contented lines, though, he was once again expressing a desire to "let the people get someone else to do their work, go home and attend to my own business." This time it was not Washington's high prices but the perfidy of his fellow southerners that occasioned the outburst. For the House convening in December was in the midst of its most bitter contest for the Speakership since the memorable encounter of 1849-50--and some southern men were voting with the enemy.

The House of the Thirty-Fourth Congress was largely composed of a jumble of confused elements that had been thrust up by the political eruptions of 1854: anti-Nebraskaites, temperance men, Know Nothings, avowed Republicans, and administration Democrats. So confused were the political identifications of the members that for the first time in its history the Congressional Globe abandoned its practice of denoting members by political party. The administration could count only 75 to 80 supporters, far short of the requisite majority necessary to organize the House. The opposition, however, could not consolidate its support behind any one candidate, so the contest for Speaker dragged on for two months and through 133 ballots before finally being resolved in favor of Nathaniel P. Banks, a Massachusetts Democrat turned Know Nothing turned Republican.<sup>2</sup>

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<sup>2</sup>Ibid., 2, 11 December 1855; Nevins, Ordeal, II, 414-15.

For Alexander Stephens, who never possessed an oversupply of patience, the wearisome weeks of balloting, caucusing, and speech-making were one long irritation. For some unknown reason, Stephens had declined to attend the first Democratic caucus held on the night of 1 December. Perhaps his ego required a reassuring stroke, or maybe Stephens needed one last demonstration of good faith from his new associates, a final test of their soundness, for he drew up the resolutions for the caucus and sent them in by J. Glancy Jones of Pennsylvania. The Democrats obligingly passed the Stephens' resolutions--affirming the Kansas-Nebraska act and deprecating Know Nothing secrecy and bigotry--without a dissenting vote. Then the party nominated William A. Richardson, who had been so conspicuous in passing the Nebraska bill, as its candidate for Speaker.

The Democrats (and Stephens, of course) voted doggedly for Richardson through 122 ballots until the Illinois representative withdrew. The party then shifted its support to James L. Orr of South Carolina, with no greater success than before. Throughout the balloting Banks had consistently fallen short of a majority by a dozen or so votes. The balance of power lay in the hands of thirty southern Know Nothings, who cast their votes for Henry M. Fuller, an anti-Nebraska ex-Whig from Pennsylvania. The situation was not without its ironies, for the southern Americans were as loath as their Democratic colleagues to assist in electing an antislavery Speaker. But the Democrats had imperiously refused to strike any sort of reasonable accommodation with the Know Nothings. The terms they offered--if their conditions can be called "terms"--were nothing less than a complete and unconditional surrender. Naturally the Know Nothings were not

disposed to sacrifice themselves as a party, even for the sake of preventing Banks' election. The Americans, however, consistently displayed a willingness to cooperate with the Democrats. They had only one condition: the nomination of some "national" Democrat, i.e., one not put up by the Democratic caucus, behind whom they could unite.

If the attitude of Alexander Stephens is any indication of Democratic thinking, it is not difficult to understand the enmity between the two groups. To Stephens Banks was "the best specimen of Black Republican Fusionist . . . in the House," but he would just as soon vote for him, he said, as vote for Fuller.<sup>3</sup> But even Stephens, who hated Know Nothings more fiercely than he had ever hated Democrats, recognized the political imperatives in the situation. And he was one man resourceful enough to attempt breaking the impasse.

As week after week of fruitless balloting and furious bombast occupied the House--"contemptible child's play daily enacted," sneered one outraged Pennsylvanian--it became obvious that the House, as it had in 1850, would have to resort to the plurality rule if it were ever to organize. Stephens had foreseen this possibility late in December, but it was not until a month later that he was able to formulate a plan that Democrats would agree to support. As was customary when the House set aside majority rule, it would pass a resolution requiring three more ballots. If these failed to produce a winner, the candidate receiving the most votes on the next ballot would be declared Speaker. What Stephens planned to do was nominate Democrat Warren Aiken of South

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<sup>3</sup>AHS to LS, 2, 8, 11 December 1855, Stephens Papers, MC; Overdyke, Know Nothing Party in the South, 164-65.

Carolina at the last moment on the last ballot. Orr would then withdraw his own name, and the contest would be between Aiken and Banks. Quietly Stephens checked out his scheme with Democrats and southern Know Nothings. "It took well," he reported.

But the plan went for naught: before the House adopted the plurality rule an Alabama representative, Williamson Cobb, offered a straight resolution to make Aiken Speaker. It failed by a vote of 110 to 103. Stephens was livid: "If that blather skited fool . . . had let me manage my own matters Aiken would today have been Speaker." As it was, Banks was elected the next day by 103 votes to Aiken's 100. The southern Know Nothings, when it had come to the crunch, had voted for the latter, but Fuller received half a dozen northern votes, enough to prevent Aiken's election. For the first time the House had a Republican Speaker, and the implications of their defeat were not lost on southerners. The election, wrote Stephens angrily, had been "purely sectional," the first of its kind in the country's history. Banks had not received a single southern vote. "The election of Banks," wrote Toombs, "has given great hopes to our enemies, and their policy is dangerous in the extreme to us."<sup>4</sup>

Indeed it was, from the southern point of view. The Republican party was a dedicated and determined group of men, committed first and foremost to preventing the extension of slavery into any part of the

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<sup>4</sup>Wm. D. Lewis to John M. Clayton, 23 January 1856, Clayton Papers, LC; AHS to LS, 29 December 1855, 1, 4 February 1856, Stephens Papers, MC; Cong. Globe, 34th Cong., 1st sess., Pt. 1, 334-35, 337; Robert Toombs to Thomas W. Thomas, 9 February 1856, TSC Corr., 361.



national domain. And there was only one part of that domain in 1855 where the issue was in doubt--the plains of Kansas. The struggle in the House between the pro- and antislavery forces in December and January only mirrored the more elemental, and far less polite, struggle between the same forces that had been raging in faraway Kansas almost since the passage of the Nebraska act.

In fact, even before the passage of the bill freesoil forces had begun mobilizing to insure that freedom would triumph in Kansas. At least that is the way Eli Thayer's venture was perceived by thousands: antislavery easterners and proslavery southerners alike. Thayer, a Massachusetts politician and entrepreneur hopeful of turning a profit by various investments in Kansas, had in late April 1854 organized the Massachusetts Emigrant Aid Society. Thayer's venture, which aimed at a capital subscription of \$5 million (a goal which, incidentally, it fell far short of) immediately attracted the financial support of some prominent New England abolitionists like Amos Lawrence, and the editorial backing of important New York papers like Horace Greeley's Tribune and William Cullen Bryant's Evening Post. Consequently, the society became a cause celebre among antislavery partisans and, in turn, an object of utmost suspicion and hatred among southerners.

Judged objectively, the society failed both as an investment and a funnel for freesoilers to Kansas. By the end of 1855 it had transported only 1,240 settlers to the plains and was on the verge of bankruptcy. It did, however--and this was its most significant function--fire men's imaginations and lend moral support to those few brave souls who forsook New England for the dangers of frontier living.

Not the least of those dangers was the rough-hewn population of northwestern Missouri, an area of the country not far itself from the frontier stage of existence, violently proslavery, and little inclined to exercise forbearance towards freesoil "invaders" in Kansas. For eastern Kansas was an area these Missourians not only considered "theirs" by right of eminent domain (in fact, many of them had already staked out land claims there), but also vital to the continuance of slavery in their own state.

So perfectly did the ill-schooled, hard-drinking, rough-speaking Senator Atchison represent the citizens of this part of Missouri that the illustration is almost caricature. Atchison, it will be recalled, had staked his political future on the triumph of slavery in Kansas. The struggle for passage of the Nebraska bill in Washington had been only the first essential step. Now, with an invasion of subsidized freesoilers in the offing, the contest for Kansas presented a test of gladiatorial strength in the western arena itself. Like all such life-or-death struggles--and this was the way both sides perceived it--it was inevitable that deadly weapons would be wielded indiscriminately, that innocent people would be hurt, and that ruthlessness and brute strength, not reason and conciliation, would determine the victor.

During the summer of 1854 angry groups of border Missourians had convened in Westport and Independence to form protective associations and vigilance committees to "protect" proslavery settlers in Kansas and to urge the advantages of Kansas settlement on southern slaveholders. Senator Atchison went even further. At his urging, a meeting was held

in his home county in July 1854 which resulted in the formation of the "Platte County Self-Protective Association." And in the furtherance of "self protection," the Association proclaimed itself ready to enter Kansas and forcibly remove any settlers who had got there under the auspices of northern emigrant aid societies.

Atchison was blithely matter-of-fact about his intentions. No such niceties like legalities or considerations of humanity would deter him. As he explained to Secretary of War Jefferson Davis:

We will have difficulty with the Negro thieves [sic] in Kansas. they are resolved they say to keep the Slave holder out, and our people are resolved to go in and take their "niggers" with them. none of the men who are hired by the Boston Abolitionists, to settle and Abolitionise Kansas will not hesitate, to steal our slaves, takeing [sic] this for granted, I on the 21st of this month advised in a public speech the squatters in Kansas and the people of Missouri, to give a horse thief [sic], robber, or homicide a fair trial, but to hang a Negro thief [sic] or abolitionist, without a judge or jury. This sentiment met with almost universal applause, and I could with difficulty keep the "Plebs" from hanging two gentlemen who called a cow, "keow"

We will before six months rolls round, have the Devil to play in Kansas and this State, we are organizing, to meet their organization we will be compelled, to shoot, burn & hang, but the thing will soon be over. we intend to "Mormanise" the Abolitionists.<sup>5</sup>

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<sup>5</sup>James A. Rawley, Race and Politics: "Bleeding Kansas" and the Coming of the Civil War (Philadelphia, 1969), 84-86; Nevins, Ordeal, II, 306-11; D. R. Atchison to Jefferson Davis, 24 September 1854, Jefferson Davis Papers, DU. The clarion call for the freesoilers had been sounded in Congress several months earlier than Atchison's appeal in Missouri by William H. Seward. "Come on then, Gentlemen of the Slave States," he had challenged, shortly after the passage of the Nebraska bill, "since there is no escaping your challenge, I accept it in behalf of the cause of freedom. We will engage in competition for the virgin soil of Kansas, and God give the victory to the side which is stronger in numbers as it is in right." Cong. Globe, 33d Cong., 1st sess., Appendix, 769.

While Atchison's "plebs" prepared to deal with the dire threats on their border and Thayer's Emigrant Aid company began sending its first consignments of freesoilers to Kansas, President Pierce searched for a suitable man to assume the manifestly difficult task of governing the territory. In late June 1854 he selected Andrew H. Reeder, an able Pennsylvania lawyer and professed friend of the Nebraska bill. Reeder was not without qualifications for the job, but he was an unknown provincial--his appointment was politically expedient in the Pennsylvania party--who had never before held political office and who had no conception whatever of the frontier or its problems.

To be sure, Kansas was a special case--the first (and last) area of the country where popular sovereignty would be tested--but in other respects the area presented familiar problems in the history of westward expansion. Not the least among these problems was land titles, and in Kansas the difficulty with claims was worse than severe: very little desirable land was legally open to settlement. Much of the best land belonged to various Indian tribes under the provisions of treaties signed years before. When the Nebraska bill passed in May 1854, not a single Kansas acre had even been surveyed, nor would this essential task be begun until months later. Land-hungry frontiersmen had rarely been deterred by Indian treaties, nor were they now: the first settlers simply moved in and staked out their claims.

Not one of these early settlers had a legal right to the land, and probably most of them were far more intent on securing title to their land than in establishing or preventing slavery in the territory.

Inevitably, though, under the circumstances, disputes arose between rival claimants, disputes that were only exacerbated by the slavery problem. Slavery, although it may not have been pivotal in producing the division between pro- and antislavery groups in Kansas, certainly was crucial in intensifying and channeling friction between them.

Whether wittingly or not, the individual settlers had become symbols of opposing and antagonistic socio-economic systems, pawns in a gigantic sectional struggle for stakes far transcending the simple possession of their own little plots of farmland. "We are playing for a mighty stake," growled Atchison, "if we win we carry slavery to the Pacific Ocean if we fail we lose Missouri Arkansas and Texas and all the territories."<sup>6</sup>

With both sections of the Union viewing the Kansas struggle as apocalyptic, and with passions and hatreds being spurred by a steady torrent of misinformation and lurid reports in the press, any governor would have been hard pressed to maintain order and rule judiciously. Unfortunately, Reeder proved unequal to the task. He arrived in the territory late, in October 1854, three months after his appointment, but not too late to indulge in some questionable land speculations. Nor was he too late to earn the immediate enmity of the proslavery element, who charged him with delaying the call for elections for a territorial legislature until spring and the arrival of more northern settlers. True, Reeder had scheduled the election for March 1855,

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<sup>6</sup>Nichols, Pierce, 407-08; Potter, Impending Crisis, 201-04; David Atchison to R. M. T. Hunter, 4 March 1855, Hunter Corr., 161.

but this was mainly to allow a census of the territory to be taken, a necessary step in establishing the number of actual residents legally qualified to vote.

The governor, however, might have ordered a dozen censuses for all the difference the official one in February 1855 made to the Missourians. Atchison's plebs, armed to the teeth, fired up with whiskey, and fearful of a rumored invasion by 20,000 antislaverites of the New England Emigrant Aid Company, made a mockery of the March election and of the whole concept of popular sovereignty. Approximately 5,000 of these "border ruffians" (with a hundred-man contingent led by Senator Atchison himself) crossed into Kansas and cast ballots. This was actually the second foray by the ruffians. Some 1,600 of these illegal voters had entered Kansas in November and cast ballots in the election for territorial delegate to Congress. Both of these raids accomplished their purpose: by March 1855 the Kansas territory had "elected" a proslavery legislature and congressional delegate.

Subjected to relentless (and sinisterly threatening) pressure from the proslavery forces Governor Reeder allowed two-thirds of these fraudulent results to stand, tossing out the votes and calling for new elections only in districts where results were officially challenged. Fearing for his life, the governor then left for the East to inform the President about the situation and seek his support. Before meeting with Pierce, Reeder exposed the extent of the Kansas frauds in a widely published address at his hometown of Easton, Pennsylvania.

Little did Reeder realize that his brief stint as a public official was about to end. Pierce received him cordially, and even

gave assurances of his support, but the President was himself under considerable pressure from Atchison and other proslavery zealots to remove Reeder. Moreover, he was displeased that Reeder had not seen fit to denounce the New England Emigrant Aid Company equally with the Missouri ruffians. With the press of both sections in an uproar, Pierce reacted characteristically: he temporized. He attempted, and failed, to secure Reeder's resignation, and then allowed the governor to return to Kansas.

Upon arriving in the territory Reeder called the legislature into session--at Pawnee City, a townsite where he had investments, a hundred miles inland from Missouri. The legislature duly met, received the governor's message, and then, in defiance of his wishes, adjourned to Shawnee Mission, just a few miles from the Missouri border. There, over the governor's repeated vetoes, the assembly proceeded to shackle slavery upon the territory: the slave code of Missouri was adopted in toto, officeholding was limited to proslavery men. Draconian laws were passed to punish anyone speaking against slavery, harboring fugitives, or aiding slaves to escape. Not content with passing these repressive statutes, the legislature then expelled its few freesoil members who had been elected in contested districts. And to cap its work the legislature petitioned Pierce for Reeder's removal.

Pierce complied. With Reeder's shady land speculations as pretext, the President dismissed him. It was obvious that his effectiveness as governor was gone anyway. But the freesoilers were outraged. The removal, raged Benton, "is the climax of nullification

rule . . . the lawless destruction of every principle in the Nebraska act."

Reeder's successor was Wilson Shannon, former governor of Ohio, minister to Mexico, and congressman. If anything, Shannon proved to be an even worse appointment than Reeder. The new governor immediately sided with the proslavery forces. The situation in Kansas now took a decided turn for the worse. With all hope of support from the administration gone, the freesoil settlers took matters into their own hands: they organized a party and set up a territorial government of their own. At a meeting at Big Springs, not far from Lawrence, on 5 September the initial steps were taken: the Free State party was established and the "bogus" Shawnee Mission legislature repudiated. Later in the month, in convention at Topeka, the freesoilers drew up an antislavery constitution and initiated a movement to seek statehood under it. By January 1856, in elections in which only freesoil voters participated, the constitution was "ratified," and a "legislature" and "governor" chosen. And in March the legislature convened at Topeka, and took steps preparatory to statehood: passing statutes and even selecting United States senators.<sup>7</sup>

It was against this backdrop of fraud, violence, and lawlessness in Kansas that Congress met in December 1855. By now the South was fully aroused to its peril, and the pressure on southern legislators to maintain the proslavery cause in Kansas was intense. The Kansas troubles had set into motion an ever-intensifying cycle of action and

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<sup>7</sup>Potter, *ibid.*, 202-04; Nichols, *ibid.*, 412-15, 417; Rawley, *Race and Politics*, 86-95; Thomas H. Benton to John M. Clayton, 2 August 1855, Clayton Papers, LC.



reaction, not only on the plains, but also in Congress and in state politics all across the South. Georgians, for example, were being called upon to provide men, arms, and funds for emigration societies of their own; and southern representatives were being pointedly reminded of "how much of the battle is already won, and what may be lost by their unworthiness."

Seizing upon the Kansas imbroglio as a means to advance their own fortunes, the Georgia Know Nothings had passed resolutions at their December convention branding the Kansas-Nebraska act as dangerous to southern institutions and excoriating the Democrats for devising it and denouncing its terrible results in Kansas. Clearly southern Democrats were vulnerable to the charge: if Kansas came into the Union as a free state, any connection with the Douglas-administration forces would be a serious (and possibly fatal) liability.<sup>8</sup>

Stephens, of course, was well aware of this danger. He, like the rest of his Democratic compatriots, had dangled the prospect of a slave state before the voters during the campaign of 1855. The Kansas situation, daily growing more menacing and confused, now cried for a clear,

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<sup>8</sup>Columbus Times, quoted in Savannah Daily News, 9 October 1855; Charleston Courier, quoted in ibid., 29 October 1855; Luke Fain Crutcher III, "Disunity and Dissolution: The Georgia Parties and the Crisis of the Union, 1859-1861" (Ph. D. dissertation, University of California, Los Angeles, 1974), 28-29. The Know Nothings employed two arguments against the Kansas-Nebraska act. First they insisted that the northern interpretation of squatter sovereignty in the bill was the correct one: that is, the territorial legislature could ban slavery during the territorial stage. They then added the nativist argument: that the Democratic party was committed to unlimited immigration, and therefore that the territories would be filled up with poor Irish refugees from northern factories who would prevent slavery's introduction just as surely as the Wilmot proviso. Ibid., 29n.

unequivocal interpretation of popular sovereignty. What possible good was this hallowed doctrine of the Democracy if, in its operation, it led to the election of two territorial delegates--John W. Whitfield, elected with the aid of 1,600 illegal Missouri voters in December 1854, and Andrew H. Reeder, chosen by the freesoilers in an illegal election the following fall?

Both men were now in Washington demanding admission to the House as the only legal representative of the territory. For southern Democrats in the House, the course was clear: at all hazards the election of Whitfield, however spurious, had to be upheld. Not to uphold it was to court political disaster at home. "If Kansas comes in as a free state," Thomas W. Thomas warned Stephens, "the Kansas party at the South--the true Southern Rights party, of which I consider you and Toombs the head and front--will go down. The masses on this . . . will take no test of reliability, soundness and good policy, except success." Supporting the Nebraska bill, as it turned out, had placed the southern Democrats in a fearful dilemma:

Expectation has been excited [Thomas continued], our enemies at home have charged that the measure was a free-soil measure, that foreigners would rush in and defeat the South. It will be in vain that we . . . prove the status [of the Kansas territory] was anti-slavery that the repeal gave us at least a chance,--they will bring up their prophecies and the result and all the reasoning and truth in the world cannot withstand the effect that will be made upon the popular mind. I verily believe the effect will be the utter prostration of every man at the South who has stood up for us and the complete triumph of a set of traitors and fools.<sup>9</sup>

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<sup>9</sup>Thomas W. Thomas to AHS, 25 February 1856, TSC Corr., 362.

Even before receiving this letter, however, Stephens had taken steps to protect both himself and his party. The southern Know Nothings were proclaiming that the Nebraska bill had enacted squatter sovereignty. This Stephens hotly denied during the course of a debate with Felix Zollicoffer, a Tennessee Know Nothing. The House was still engaged in trying to elect a Speaker, but this had not prevented representatives from haranguing their colleagues about party principles.

The verbal tilt between Stephens and Zollicoffer occurred on 17 January 1855, and for the most part was repetitive and boring, circling for an hour or so around the hoary question of congressional power over territorial slavery. As it had been for years, the question was important: but it was now under a different guise. The direct power of Congress over the issue had supposedly been settled by the Nebraska act, which transferred to the people of the territories the power of determining slavery's status. But the enactment of the popular sovereignty principle had raised a whole host of other troublesome questions: when would the people be permitted to exercise the power of excluding slavery? And from whence did they derive the power? From the Consitution? From Congress? From their own inherent sovereignty? In short, where did sovereignty in the question of territorial slavery reside? It was the same question that had been bruited about Congress for years--and in 1856, it was still no closer to being answered than it ever was.

Stephens, though, as always, had answers. He had ever relished contention in such abstract and theoretical realms. Such arguments

never failed to stir his greatest powers of legalistic and rhetorical inventiveness. And he certainly exercised his powers this day. Zolligoffer had contended that Congress had no constitutional power over slavery in the territories, and therefore that southerners who had voted to extend the Missouri Compromise line had sanctioned a violation of the Constitution.

Stephens retorted that he had never maintained "that Congress has the general original power to [exclude] slavery from the territories. . . . On the contrary I have said . . . that if Congress were to exercise such power, I should be for resisting it." But, he continued, he had supported, along with every other southerner in Congress, an extension of the Missouri line as "an alternative," a compromise based upon a fair and equitable division of common territory. Congress could, under these circumstances, and under these circumstances only, exercise a constitutional power to exclude slavery from territories. It did not follow, said Stephens, "that because Congress could constitutionally exclude slavery over part of the territory on the principle of division . . . that . . . the unlimited power exists to exclude it from the whole. I deny, in toto, the existence of such unlimited or unqualified power in Congress."

Now these were ideas that Stephens had held since at least 1846, but for the first time he allowed himself to be drawn into a discussion of congressional power over territorial slavery on the floor of the House. It will be recalled, too, that at the time of his debate with Lewis Campbell in January 1855, Stephens had told Linton

privately that he had always opposed the Wilmot proviso because he believed "that there was something in it," that the Supreme Court, if the doctrine were ever tested, would declare the proviso constitutional. Then he had been on firmer logical grounds than he now was. People not inclined to dance with angels on the head of a pin, people like Zollicoffer, found Stephens' argument impossible to accept. Either Congress possessed the power, or it did not--John C. Calhoun's position exactly.

It took some time for Stephens to make his position clear, and in truth, Zollicoffer, who pressed Stephens into some snappish replies to repeated questions, can be forgiven for not being able to understand it. For what Stephens was arguing essentially was that Congress could constitutionally exercise a power it did not constitutionally possess, and even then it could only exercise it over half a territory and under particular circumstances!

But these dialectical gymnastics were only the beginning. With the formation of the freesoil government in Topeka the question of squatter sovereignty in the territories had suddenly assumed an ominous significance. For if the people of the territories under the principles of the Kansas bill were to be left entirely free to determine their domestic institutions for themselves (as Stephens had so heatedly argued on several previous occasions), could it not be contended (as indeed thousands of northerners were contending) that the Topeka constitution and the government elected under it were true expressions of the people's will in Kansas? Of course not--not by Stephens' lights. As he understood the doctrine of squatter sovereignty, it meant "the inherent

and sovereign right of the people of the territory settling on the common domain to establish and set up governments for themselves, without looking to Congress, and independently of Congress." Such an idea was nonsense, said Stephens:

There is not a single feature, not a particle of "squatter sovereignty" in the Kansas bill. . . . Why, sir, their whole organic law emanates from Congress. Their legislature, their judiciary, every department and the whole machinery of their government proceeded from Congress; the inherent sovereign right of the people to establish a government independently of Congress is not recognized in a single clause of that bill.

As for the power of the people in the territory over slavery, continued Stephens, "the Kansas-Nebraska bill gives [them], grants to them all the power that Congress had over it, and no more."

It would seem then, that Stephens was arguing that people of a territory likewise lacked the power to exclude slavery. And he was--but he added a startling qualification: "whatever the people of [a] territory should do on . . . slavery . . . pass laws to protect it or exclude it, or simply leave it without protection, I should for myself abide by their acts."

These remarks quite naturally prompted a flurry of queries from a number of attentive, and confused, congressmen. Where did the people get the power to exclude slavery, asked Israel Washburne, if Congress did not have it, and the people possessed only those powers that Congress had given to them?

They possessed it, Stephens promptly replied, "only in a State capacity, or when they form their State constitution. Then they

get it where all the States get it." In the territorial condition the people were "but new States in embryo" with only a "latent power of full sovereignty" which did not develop until, like the butterfly from the chrysalis, "the proper time." The image was a pretty one, but Stephens had dodged the question by the old rhetorical trick of arguing by analogy.

But Stephens was not going to insist upon the application of his peculiar theories to the territories. Once again he stated his willingness to let the people of the territories determine the slavery question "for themselves, and when they please." Simply getting the miserable question out of Congress, where it had done nothing but disturb the public peace for thirty-five years, was reason enough. If the people's power to exclude slavery was not theirs "by absolute right," he was willing to grant it to them "as a matter of favor." Why not drop the question "at once and forever," he urged the House. "The people can dispose of it better than we can." All he demanded was "a fair expression of the popular will"--and here Stephens inserted the qualification which would justify all of his subsequent opposition to a free Kansas--"not such as may be effected by New England emigrant aid societies, or other improper interference."<sup>10</sup>

Well might Stephens urge moderation and patriotism upon his

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<sup>10</sup>The speech is in Cleveland, Stephens, 489-515. In response to another question during the debate, one along the same lines as Washburne's, Stephens flatly denied that the power to exclude slavery from a territory existed anywhere: "I do not think it exists anywhere, while the territorial condition lasts, neither in the people of the territory nor in Congress." Ibid., 510.

House colleagues. Letting the people of Kansas decide the fate of slavery for themselves meant only one thing to Stephens, and every other southerner in the House, for that matter. It meant leaving the question in the hands of the proslavery legislature.

The southern cause in Kansas very shortly received a huge boost, and from no less a quarter than the White House. President Pierce, to say the least, was nervous and overwrought by the state of affairs in Kansas. A clash of arms between opposing forces there had been narrowly averted in late November by the diplomatic skills of Governor Shannon. But in January came the news that the freesoilers in Kansas had proceeded with their election of a governor and state legislature. Kansas now had two governors, two legislatures, and two territorial delegates--and civil war seemed as inevitable as the spring thaw. (Indeed, it was only the rigors of an arctic winter that insured the peace now.)

The reception of the disagreeable news from Kansas generated enough heat in President Pierce for him to send in a special message to Congress, on 24 January 1856. Clearly the President was distressed by the Kansas troubles, and clearly too he laid a large part of the blame for the unrest on the actions of his own appointee, Governor Reeder--whom he accused of dereliction of duty and "violation of law" necessitating his removal--and on the abolitionists with their "propagandist colonization" thwarting "the free and natural action of [Kansas'] inhabitants." Although Pierce admitted the likelihood of fraud in the election of the legislature, he considered the decisions of the governor on the returns to be final, and moreover, a matter of local jurisdiction.



But Pierce reserved his strongest language for the Topeka movement. He denounced it as "revolutionary," and, if it attempted to oppose the national authority, as "treasonable insurrection" that would necessitate forcible suppression by the federal government. The President, however, did not consider it his duty to use force "to preserve the purity of elections." Nor was it his duty to question the wisdom or justice of territorial laws. Indeed, he was obligated to aid the territorial authorities in executing those laws against "all insurrectionary movements." Despite his purposeful tone, however, the best solution Pierce could recommend to Congress was the passage of an enabling act for the formation of a state constitution in Kansas.

A few days after the message, which was received by a House which was not yet organized, the President felt it necessary to take more decisive action than simply reporting to Congress. Disorder had attended the free state "elections" in January, and the leaders of the freesoil "government" were now demanding protection from the Missourians, who, they were convinced, would attempt to stamp out their illegal government. Accordingly, the President issued a proclamation on 11 February ordering all irregular combinations to disperse. One group, said the President, was attempting to take over the government by force; another was preparing armed intervention from outside the territory; another was requesting this outside aid; and yet another was sending men, arms, and funds to assist the revolt. "All good citizens" should help to suppress violence, Pierce urged. As for the troops at Fort Leavenworth and Fort Riley, these the President put

at the disposal of Governor Shannon. Franklin Pierce, it appeared, was firmly behind the proslavery government in Kansas.<sup>11</sup>

But this was hardly true of the House of Representatives. No sooner had that body organized than Andrew Reeder presented his credentials as the "legal" representative of the territory. Whitfield's election, he claimed, was "void." The legislature, under whose sham laws Whitfield had been elected, was itself a creature of fraud and violence--its laws were nullities. Moreover, Whitfield's own election had been accomplished by hundreds of illegal votes.

The House, which had just spent two months of wrangling over the speakership, now launched itself into six months of equally profitless disputation over the untieing of this latest Gordian knot. Like his Macedonian namesake, Alexander Stephens preferred to solve the puzzle with a single bold stroke--that is, to deny that there was any dispute, any puzzle, at all. But unlike the Great's, the Georgian's sword was not nearly as sharp. For Stephens, although the ranking Democrat on the House Elections committee (to which the Reeder-Whitfield dispute was routinely assigned) was in the minority.

Nevertheless, he threw himself with his accustomed energy into the task of opposing Reeder's claim. On 19 February, when the committee's majority requested authorization of the House to call for persons and papers in its investigation, that is, to go behind the returns, Stephens opposed the resolution in a biting speech. Always the legalist, Little Aleck zeroed in on Reeder's claim that the law under which Whitfield

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<sup>11</sup>Pierce's message in Cong. Globe, 34th Cong., 1st sess., Pt. 1, 296-98; Nichols, Pierce, 443-44.

was elected was invalid. How absurd, he sneered, that he should make such a claim when he himself, in his capacity as governor, had certified the election of the legislature whose subsequent law he now claimed was invalid. There was no necessity for the House to investigate: the validity of the law in question was plain. Plain to Little Aleck maybe, but not so clear to many others. The House refused to pass Stephens' motion to recommit the resolution to committee, but the session ended before any further action could be taken.

What was at stake, of course, was far more than the legal claims of Reeder and Whitfield. Recognition of either man perforce recognized the legality of the government he represented. Clear-thinking southerners, away from the capital's charged atmosphere, recognized that southern resistance to the investigation was bad policy. Not only would the South demonstrate impartiality and "faith in its own cause" by allowing the House to go behind the returns, wrote one, but there was also no promise that resistance would stop an investigation anyway.<sup>12</sup>

It did not. Impartiality was the last thing congressional southerners desired. Victory--victory over a foe who seemed to grow more implacable with every passing day was what they wanted. And to achieve it they were prepared, even as were Atchison's ruffians, to use whatever means were necessary.

Their weapons, though, were considerably less deadly than the

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<sup>12</sup>Reeder memorial in Cong. Globe, 34th Cong., 1st sess., Pt. 1, 427; AHS speech, ibid., 455-58; George D. Prentiss to John M. Clayton, 28 February 1856, Clayton Papers, LC.

Missourians'. They were the weapons of seasoned legal minds, honed and tempered during literally thousands of hours of debate. But even the best southern lawyers--and Stephens was certainly one of these--with all their skills, proved unable to bury the Kansas question. The matter had assumed the momentum of an avalanche, and the southerners, by their own choice, stood directly in its path.

On 5 March the House Elections committee renewed its request for authorization to investigate the election, and present its report. Stephens, who had been up till two a.m. writing the minority's report, read his. Angrily he told Linton that he had been forced to write it "blindly." The "knaves" of the majority had refused to let the minority see their report. His reading, said Stephens, was "a decided hit" in the House. He had done a superb job on it, "better than . . . anything of the sort in my life."

Presumably Stephens felt the same way about the report itself. Reeder's case was insufficient, it said. By settled House precedent, mere evidence of illegal votes was not enough to unseat a member. A contestant must prove that he himself received more legal votes. Reeder was not even pretending this. He was basing his claim on denying the legal authority under which Whitfield had been elected, and by claiming that he had been himself elected "at a different time, by promiscuous gatherings . . . without even the forms of law . . . in open opposition to the only recognised laws of the Territory." Moreover, the House lacked jurisdiction to judge the validity of the Kansas legislature. It was a long settled principle that legislative bodies themselves were the only proper authorities to settle questions concerning

their own membership. Certainly the House could consider the validity of Kansas laws, Stephens acknowledged, but not by probing the membership and elections of the legislature which passed those laws.

Stephens had presented an excellent legal argument, but in truth, there was so much illegality on both sides involved in the whole Kansas mess that what was logical and just and reasonable--arguable propositions at any time--was entirely secondary to who wielded the power. This was as true in Kansas as it was in Congress. And in the House it was the antislavery coalition that commanded the votes. Stephens knew this, and when he rose on 11 March to deliver yet another speech against investigating in Kansas, he probably realized he would be beaten. His mood was foul: neither the compliments he received after the speech, nor the presence of one of the largest crowds in House history pleased him. "I spoke with perfect indifference and contempt of the whole concern," he said.

The speech was long, learned--citing Edward Coke and Justice Story, among others--and, at the end, bitter. For behind the agitations in Kansas Stephens charged were "the original enemies of the Kansas bill" who were determined "to make it the occasion of continued strife and discord." "Disappointed, discontented, and disaffected" by losing at the polls, they were now resorting to "a trial of physical force." Arms, money, and volunteers were being collected; "hostility to the existing legally-constituted authorities is openly avowed." "What is this but treason?" he exclaimed.

But one man's treason is another's fight for liberty. And what

one Georgia editor considered Stephens' "unanswerable argument" was but a small obstacle to the House majority. On 19 March the House appointed a three-man committee (two Republicans, one Democrat) to go to Kansas, collect evidence, and make inquiries--not only on the disputed election, but on the whole Kansas problem. Having done his best to prevent this, Stephens decided to take a trip himself. He went home--to attend the spring court sessions.<sup>13</sup>

While the House had been engaged in discussions the administration forces in the Senate were taking steps to implement the President's proposal of January: preparing a statehood bill for Kansas. The task fell to Stephen A. Douglas' Committee on the Territories, and in due time it produced a long report, a minority report, and a bill, all of which, in turn, produced heated discussion and no action whatever. Douglas' report closely followed Pierce's thinking: both the emigrant aid societies and the Topeka movement received a heaping portion of condemnation. And the statehood bill (which the Little Giant introduced on 17 March) was routine, conforming to the pattern of previous enabling acts by Congress. It provided for a census, a constitutional convention when the requisite number of inhabitants was attained, and the formation of a state government.

Since Douglas' bill left the Kansas government in the hands of Shannon and the Shawnee legislature for an indefinite period it was

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<sup>13</sup>AHS to LS, 4, 11 March 1856, Stephens Papers, MC; House Reports, 34th Cong., 1st sess., No. 3 (Serial 868); speech in Cleveland, Stephens, 515-31; Milledgeville Federal Union, 8 April 1856; Johnston and Browne, Stephens, 308.

entirely unacceptable to Senate freesoilers. But these men, through their spokesman William H. Seward, proposed an equally unacceptable solution: the admission of Kansas under the freesoil constitution that had been drawn up by the illegal "government" at Topeka.

Springtime returned to the plains of Kansas, and with it the sunflowers, the chirping of birds, the sound of gunfire, and the smell of burning cabins and spilled blood. The buzzards of civil war had come home to roost, and the fragile peace between the two heavily-armed groups of settlers shattered under the impact of a pair of violent and senseless crimes. The first of these was the so-called "sack of Lawrence."

A December gathering of hundreds of Missourians to wreak havoc on the town of Lawrence, the freesoil stronghold, had barely been averted at the last moment. But on 21 March 1856, a similar gathering--a sheriff's posse, armed with indictments and arrest warrants for three freesoil leaders, the usual guns, bowie knives and pistols, plus no less than five cannon; fueled by a hatred for "abolitionists" every bit as fiery as the "liberated" whiskey they consumed; and led by the honorable David Atchison and Sheriff Sam Jones of Douglas county--was not to be denied. Thwarted in their attempt to make the arrests, the posse contented themselves instead with destroying the presses and type of the town's two papers, burning down the Free State Hotel and "Governor" Charles Robinson's house, terrorizing the citizenry, and looting the town. Amazingly, despite the riotous uproar, no one (save a

proslavery man accidentally crushed by a falling wall) was killed.

Three days following this meting out of justice by the ruffians, a fifty-six year old Kansas emigrant named John Brown took revenge for the freesoilers. A chronic failure at half a dozen professions, the tall, lanky, graying Brown was one of those rare and frightening people who turn up sometimes at unpredictable intervals in history--a man totally consumed by an idea, a single-minded, messianic crusader. Brown was an abolitionist fanatic, convinced that he was Jehovah's own instrument to strike the odious institution of slavery down.

"Vengeance is mine saith the Lord," and with a fiercely-muttered "Amen" John Brown led a self-proclaimed "Northern army" of eight men (including four of his sons and a son-in-law) through the darkness on the night of 24 May 1856 to the banks of an insignificant little stream called Pottawattomie Creek. Within an hour or so five proslavery men had paid for their sins with their lives. The "Northern army" had marched them unarmed from their homes and hacked them to death with broadswords. For the first time in the territory's short but violent history, defenseless men had been systematically slaughtered for their beliefs on African slavery. Given the tinderbox that Kansas was, the massacre was bound to ignite a conflagration.

"WAR! WAR!" screamed the Westport (Missouri) Border Times. And so it was. In the wake of the Lawrence raid and the brutal murders on the Pottawattomie the territory was convulsed by violence. Shootings became common occurrences. Armed bands of men rode freely over the territory burning, pillaging, killing. A desperate Governor Shannon



issued a perfectly-ignored proclamation against the violence. Missourians and allies who rushed up from other slave states blockaded the eastern entries to the territory. But the freesoilers, under the leadership of one of the Topeka legislature's elected "senators," a coarse and intense political desperado named James Lane, continued to receive reinforcements, munitions, and money by an alternate route through Iowa. As the nation prepared to choose its fifteenth President, "Bleeding Kansas" dominated the news.<sup>14</sup>

Nor was the bloodshed restricted to the territory. The war in Kansas had its analogue in Washington on the floor of the United States Senate. During the same week that Brown carried out the decrees of Providence on the Pottawattomie and the proslavery mob served the indictments of the grand jury at Lawrence, Senator Charles Sumner, a Massachusetts Republican, was beaten senseless at his desk in the capitol by a South Carolina congressman carrying out the dictates of the chivalric southern code of honor. The Republican party, milking the Kansas issue for all it was worth during this election year, could scarcely have hoped for a more dramatic and spectacular incident with which to indict the barbarous slaveocracy.

The victim, Sumner, was a Senator eloquent, handsome, learned, and able; a man passionately dedicated to the abolitionist cause and morally fearless in its defense. But Sumner was also a coxcomb in his

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<sup>14</sup>Johannsen, Douglas, 491-95; Stephen B. Oates, To Purge This Land with Blood: A Biography of John Brown (New York, 1960), 133-37 and passim; the most readable account of the civil war in Kansas is in Jay Monaghan, Civil War on the Western Border 1854-1865 (New York, 1955), 62-95; see also, Nevins, Ordeal, II, 476-86.

conceit, a Caesar in his imperious arrogance, and a blind bigot in his intolerance of opponents. And in 1856, he held the dubious distinction of being the most thoroughly disliked man in the Senate, certainly one of the least likely candidates for hero on Capitol Hill.

Indeed, the two-day speech in defense of a free Kansas which Sumner began on 19 May, and which he entitled "The Crime Against Kansas," could have hardly afforded him that distinction. Like almost all of Sumner's speeches, this one was carefully crafted and meticulously rehearsed. The speech literally oozed of eruditeness--classical allusions; French and Latin phrases; biblical, Madisonian, Miltonian, and Shakespearian quotations all clanging together in a cacophonous, atonal symphony of invective. And it crackled too with the sparks of Sumner's righteous indignation at the depredations of the slave power in Kansas and the "tyrannical," "infamous," "absurd," and "imbecile" apologies being offered for them. But the Senator had also taken pains to transcend the boundaries of taste, propriety, and tradition by grossly insulting, sometimes in lurid sexual imagery, three of his colleagues: Senator Butler of South Carolina (who was not even present on the floor), Douglas, and Mason of Virginia--not to mention the entire state of South Carolina, which he accused of "shameful imbecility" for her devotion to slavery.

Even less rigorous codes than that of southern chivalry demanded a reply to this philippic. Douglas and Mason--and, for good measure, Cass of Michigan--all rose to denounce and excoriate Sumner for his disgraceful performance. But Butler was absent, unable to raise his

voice in his own defense. So after two days of brooding and steadily mounting rage, Representative Preston Brooks raised not his voice, but his gutta percha cane in Butler's defense.

Selecting his time as carefully as he had his weapon, on 22 May Brooks strode up to Sumner's desk upon the adjournment of the Senate. "I am come to punish you," Brooks quietly told Sumner, for the "libel on my State" and the "slander upon a relative." Without further ado, Brooks then rained almost thirty blows upon Sumner's head: shattering the cane, knocking his helpless victim unconscious, and creating a martyr---all in the space of about thirty seconds.

The repercussions of this brazen attack far overshadowed it in importance. Understandably, the North received the news of the assault with shock and outrage. In Massachusetts, said Edward Everett, "it produced an excitement in the public mind deeper and more dangerous than I ever witnessed." All across the North, in cities and tiny hamlets alike, protest meetings and rallies denounced "Bully Brooks" and the outrage upon free speech he had perpetrated. Brooks' crime, thundered Joshua Giddings, was "against the most vital principles of the Constitution, against the Government itself, against the sovereignty of Massachusetts, against the people of the United States, against Christianity and civilization." Reaction in the Republican press was no less frenzied.

Horace Greeley of the New York Tribune was beside himself. Brooks had intended to murder Sumner, fumed the bewhiskered editor, and would have done so but for the intervention of bystanders. But

what more could have been expected? Brooks was a perfect expression of normal southern attitudes and character, "an illustration of the ferocious Southern spirit." By the time Greeley had finished quivering over the unfortunate affair, he, like almost all Republican editors, had blown it up into the first act of a foully-conceived plan of attack by the entire slaveholding South on the democratic, freedom-loving North.<sup>15</sup>

This, of course, was nonsense, but nonsense of the most insidious and enflaming sort. For Greeley's was a voice that was heard far beyond the confines of New York City. The Weekly Tribune reached thousands of rural northern readers, who, if they had not yet decided to stereotype all of their southern countrymen as beasts, were being incessantly prodded to do so by the Tribune and hundreds of other Republican sheets.

Not that the southern press led the way in the practice of cool, detached, objective journalism--far from it. It too reflected and promoted the polarization of the sections that had been proceeding for years, and that intensified with the almost daily news of some new outrage. In South Carolina Brooks was lionized, feted, and praised: hundreds of canes, gifts from thoughtful admirers, soon replaced the one he had broken. And the state press was almost universal in its approbation of "a man who [had] stood forth so nobly in defense of [South Carolina's] fame . . . and . . . honor."

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<sup>15</sup>Cong. Globe, 34th Cong., 1st sess., Appendix, 529-47, 1119; David Donald, Charles Sumner and the Coming of the Civil War (New York, 1960), 289-311; Everett quoted ibid., 300; New York Tribune, quoted in Craven, Coming of the Civil War, 369.

Only a few southern papers questioned Brooks' "honorable" intentions, but the Richmond Enquirer erred in contending that the southern press applauded Brooks "without condition or limitation." For the code of honor was subject to interpretation, and a number of editors freely expressed their reservations about the time, place, and manner of the assault, reservations ranging from mild to severe. The Milledgeville Federal Union, for example, regretted the place of the attack, but staunchly maintained that "there are some kinds of slander and abuse for . . . which no office or station should protect a man from deserved punishment." The Columbus Enquirer, on the other hand, thought the attack "disgraceful" and sure "to increase the hostility of the enemies of the South."

The South was not devoid of men who understood the true meaning of honor. Gazaway Lamar, a prosperous Savannah banker, told Howell Cobb that Brooks had "so outraged decency, propriety and manliness" that he should be expelled from the House. Any attempt by the South to sustain the act, he thought, "will prove disastrous in the extreme."<sup>16</sup> Voices like Lamar's, however, were as a single small puppy's yap in a pack of baying hounds.

And in the midst of the pack were two of Georgia's most influential legislators. "Brooks whipped Sumner the other day," Stephens reported casually. "It is all right me judice. The abolitionist[s] howl over it--

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<sup>16</sup>Craven, Growth of Southern Nationalism, 232-36; Richmond Enquirer, 2 June 1856, quoted in Donald, Sumner, 305; Milledgeville Federal Union, 3 June 1856; Columbus Enquirer, 3 June 1856; Gazaway B. Lamar to Howell Cobb, 31 May 1856, TSC Corr., 366.

and cry out for liberty of speech. I have no objection to the liberty of speech when the liberty of the cudgel is left free to combat it."

Bob Toombs was considerably less oblique and even more callous than his friend. "The yankees seem greatly excited about the Sumner flogging," he said. "They are afraid the practice may become general & many of [their] heads already feel sore. Sumner takes a beating badly. He is said to be ill, tho' I don't believe it." Later, during a Senate investigation of the incident, Toombs said flatly that he "approved" of Brooks' action.

A third influential Georgian, Cobb, was a member of the committee that the House appointed to investigate the affray. The committee majority, after thorough investigation, voted to expel Brooks and censure two other southern congressmen who had known of Brooks' intentions and who stood by during the attack. Cobb chose not to follow Lamar's advice: he wrote the minority report of the committee that denied jurisdiction of the House over the conduct of members outside the Hall. The debate on the report was heated, and the House eventually voted, 121 to 95, to expel Brooks. But the vote fell short of the required two-thirds majority. Every single southerner but one voted against the expulsion.<sup>17</sup> (Brooks returned to his seat much sooner than his victim did. He resigned his seat after the House vote, but returned to it, triumphantly reelected, seven weeks later. Sumner's Senate seat sat vacant for the next three-and-a-half years while the Senator

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<sup>17</sup>AHS to Thomas W. Thomas, 25 May 1856, Stephens Papers, EU; Robert Toombs to George W. Crawford, 30 May 1856, Toombs Papers, LC; Cong. Globe, 34th Cong., 1st sess., 1305, 1628.

struggled with a variety of psychogenic ailments stemming from the attack.)

While the country was attempting to digest the overabundance of depressing and infuriating news from Kansas and the capital, the servants of the people were attempting somehow to get Kansas admitted as a state. To counter Douglas' administration bill in the Senate, freesoilers in both houses (Seward in the Senate and Galusha Grow in the House) had introduced bills to admit Kansas under the Topeka constitution. It was altogether more likely, given the current state of animosity, that Henry Clay would rise from his grave to propose another Union-saving compromise, than that either of these proposed solutions to the Kansas problem would pass both houses of Congress.

However on 24 June, in lieu of the Great Compromiser, another, and altogether unlikely, man came forward with a plan to save the country from further fragmentation. That man was Robert Toombs, and the bill he introduced was the most constructive piece of legislation yet proposed that session.

As early as April Toombs had despaired of passing the Douglas bill, but by June he had devised, and cleared with the Little Giant and other managers, what appeared to be an ideal way out of the impasse.

Basically what his bill proposed was substantial federal supervision (by a five-man presidentially-appointed commission) of the vital preliminary stages of state-making: the taking of a census and the registration of voters. Delegates to a constitutional convention,

elected by these voters, would meet in November and draw up the governing document. Congress would then admit the state immediately under whatever constitution, free or slave, had been submitted. As a safeguard against unlawful incursions by the Missourians, election day for the convention was set to coincide with presidential election day. A week after Toombs introduced his bill, Stephens introduced an identical one in the House as a substitute for Grow's Free-State measure.

Not only was Toombs' bill a statesmanlike attempt to quiet Kansas and the country, but it also offered the undeniable advantage of gagging the Republicans on the most potent issue of the upcoming presidential campaign. Moreover, the two Georgians were privately convinced that "we have a decided majority of the legal voters and actual residents of the Territory." Firsthand reports they had been receiving from their Kansas informant, Benjamin Stringfellow, had not only stressed this point, but had even contended that the House investigation committee's report would be "in our favour greatly when published." Indeed, Stephens told Linton, so decidedly sanguine were the proslavery forces in Kansas that "they want no more men. . . . They want no fighting, . . . all is working just as it ought."

However well things were working for the southerners in Kansas--and Stephens' contention that all was "as it ought" was doubtful at best--they certainly were not working well in Congress. After a bitter all-night struggle the Toombs bill passed the Senate by a vote of 33 to 12. But the bill barely received the consideration of the House. In fact, the day after the Toombs bill passed the upper house, the



lower passed Grow's measure to admit Kansas under the Topeka constitution. The vote was 99 to 97.

Several days before, on 28 June, Stephens had delivered a long closely attended speech in the House in support of his substitute and against the admission of Kansas under the Topeka document. Stephens' speech contained many elements long familiar to his listeners: vigorous defense of the Kansas-Nebraska act, a determined assault on the abolitionists and emigrant aid societies, who, Stephens said, were bent on effecting "by force and violence what they failed to do by legislation"; and even a small debate with his old opponent Lewis Campbell over an old question, the constitutionality of the Missouri compromise. These obligatory preliminaries disposed of (he closed the speech too in familiar fashion: defending slavery with copious biblical quotation and exegesis), Little Aleck turned his attention to the major point of his address, the defense of his substitute bill.

All he wanted, said Stephens, was "a fair expression of the will of bona fide residents of Kansas." Naturally, this "fair expression" would be insured by the Toombs measure, which he proceeded to explain at length. "Who can raise any objection," he asked, "that is in favor of disposing of this question upon principles of fairness, of justice, of law, of order, of the constitution?"

There were many who were objecting, as Stephens well knew. The Republican party had recently met in its first national convention to nominate candidates for President and Vice President. The object of "all this clamor we hear about 'free Kansas,' and 'down-trodden

Kansas,' and 'bleeding Kansas,'" was, charged Stephens, transparently political and alarmingly sectional: the excitation of "sectional hate and the alienation of one portion of the Union from the other." "Are you going to allow this subject to be used for such purposes?"

The Republicans certainly were going to use the Kansas question. Some of them, like John Hale, even admitted the liberality and fairness of the Toombs bill--and everything possible to meet freesoil objections had been done by way of amendment in the Senate--but the suspicion of and hostility to Pierce, who would appoint the commissioners, and of Douglas, who vigorously supported the measure, was powerful. Had these been the only forces operating against the bill, it still might have passed. But the Republicans had gone on record in the Philadelphia convention against the further extension of slavery, period. Any bill that allowed the people of a territory to choose slavery, no matter how slight the possibility that they would so choose, violated the cardinal tenet of the party. The Toombs bill, sneered Seward, was but "an ingenious dodge," and he would never allow the people of Kansas "the ruinous privilege of choosing an evil and a curse." What Seward neglected to say was what he, and everyone else, knew: that the Kansas question was entirely too fruitful for the antislavery party to allow its settlement on the eve of a presidential election. "They do not mean that there shall be peace," said Douglas bitterly. "Their capital for the presidential election is blood. . . . An angel from heaven could not write a bill to restore peace in Kansas that would be acceptable to the Abolition Republican party previous to the presidential

election."<sup>18</sup>

Douglas was right. The Kansas issue was inextricably bound up with presidential politics. By July, when the Toombs bill met its unhappy fate in the House, three parties were in the field. The first to enter the contest had been the Know Nothings, and they literally staggered onto the stage. The party had already fallen into disarray over the slavery question--the southern Americans had forced through a resolution indirectly endorsing the Kansas-Nebraska act--when its national council met in June 1855. Sectional animosities were still smoldering when its national convention gathered in February 1856. The ensuing split was all but inevitable. Southerners, with the aid of a small northern minority, defeated a resolution declaring for the restoration of the Missouri Compromise. This precipitated a walkout by eight northern delegations. The bolters, meeting separately, issued a call for another convention, while the rump of the original body proceeded to nominate Millard Fillmore for President and Andrew J. Donelson of Tennessee for Vice President. Fillmore, the signer of the odious Fugitive Slave bill, was no more acceptable to the North Americans than the platform. More northerners withdrew. The American party had failed to survive even its first national convention.

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<sup>18</sup>Robert Toombs to George W. Crawford, 26 April 1856, Toombs Papers, DU; AHS to LS, 26, 14 June 1856, Stephens Papers, MC; Nevins, Ordeal, II, 470-71; Stephens' speech in Cleveland, Stephens, 531-60; Van Deusen, Seward, 172-73; Johannsen, Douglas, 527. The Toombs bill commended itself to fair-minded Know Nothings as well as partisan Democrats. Preeminent racists in a racist society, northern Know Nothings were often outraged by Republican intransigence. "The people are heartily sick of the 'nigger worshipping' party," wrote one. ". . . All conservative men thus may favor the settlement of the Kansas question in some such way as is proposed by the bill of Tombs [sic]." James McCallum to J. Scott Harrison, 15 July 1856, J. Scott Harrison Papers, LC.

No such difficulties had attended the initial gathering of the Republicans in mid-July. Meeting in an atmosphere of revivalistic religious fervor, the party thunderously endorsed a platform declaring the right of Congress to bar from the territories "those twin relics of barbarism--slavery and polygamy," demanding the admission of Kansas as a free state, and calling for the construction of a government-subsidized Pacific railroad. As its candidate, the party selected a comparatively young, dashing explorer of the West, John C. Fremont, the "Pathfinder." Fremont was forty-three years old, little known in politics, but famous none the less for his exploits as a soldier in the Mexican War, and for his romantic marriage to Jessie Benton, the beautiful and gifted daughter of Missouri's former Senator. Thus armed--with an attractive candidate, a high-minded platform, and a resounding campaign slogan: "Free soil, free labor, free speech and Fre-mont"--the Republicans sallied forth to meet the foe.

That foe, the Democracy, had held its own convention six weeks earlier in the Ohio River city of Cincinnati. Since early in the year Stephens, like many another Democrat, had been engaged in a favorite election year sport--attempting to guess the nominee of the party. During the winter Stephens thought it would be "bad policy" to supplant Pierce, but, he said, he really did not "give a fig" for the man nominated. It was the principles involved, i.e., sustaining the pro-slavery government in Kansas, that he considered of overriding importance.

Tom Cobb, Howell's brother, in the capital in early March lobbying for a southern candidate (his brother perhaps?) reported both

Stephens and Toombs as "very warm for Pierce," with Douglas as their second choice. But by late May on the eve of the convention, Stephens had changed his mind. He now preferred Douglas, "an original friend of the Kansas bill." The truth was he did not really care. Pierce was all right too. So was James Buchanan of Pennsylvania. Pennsylvania, he thought, as "one of the soundest states in the Union," a state which had cast more votes for the Kansas-Nebraska bill than any other northern state, was certainly deserving of having its favorite son nominated.<sup>19</sup>

Stephens, who professed to be so concerned with principles, was thinking exactly like a backroom manager. He did not attend the convention, but no doubt would have fit in perfectly. For the Democratic conclave was a manager's affair from beginning to end. Finally it was Buchanan's lieutenants who succeeded in carrying off the prize for their man. Playing skillfully on the theme of Buchanan's lack of identification with the Kansas problem--a claim the other two candidates, Pierce and Douglas, could not make--and his long experience in government, the Pennsylvanian's forces put Buchanan over on the seventeenth ballot. Douglas, to avoid a prolonged and heated deadlock, had withdrawn; and to mollify both him and his slave state supporters, the convention had nominated for Vice President a handsome, elegantly-mustachioed, bourbon-loving Kentuckian, John C. Breckinridge. The platform, too, was all that Douglas, or Stephens, his late-hour adherent,

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<sup>19</sup>Potter, Impending Crisis, 254-55; Nevins, ibid., 460-64; AHS to Thomas W. Thomas, 29 February 1856, Stephens Papers, DU; Thomas R. Cobb to Howell Cobb, 4 March 1856, Cobb- Erwin-Lamar Papers, UG; AHS to Thomas W. Thomas, 25 May 1856, Stephens Papers, LC.

could have wished. It affirmed the Compromise of 1850 and supported the Kansas-Nebraska act as "the only sound and safe solution to the slavery question."

Stephens, unlike his friend Thomas Thomas, was perfectly satisfied with the Democratic candidate. Thomas, who suspected Buchanan of being the lowest sort of political charlatan willing to sell out southern rights in Kansas to "conciliate the free soil element at the North," hated the nominee with ferocious passion. Stephens was wrong, he told his friend, to support such a man. He would surely bring political ruin upon himself by doing so.

Stephens did his best to allay Thomas' fears. In glaring contrast to his expectations of pristine purity of the early 1850s, Stephens now professed himself "willing to affiliate . . . with all who from this time henceforth will make the principle of [the Kansas-Nebraska bill] in our territorial policy the basis of legislation . . . [and] apply the same principles to all analogous cases." It was enough that Buchanan and every man of the party was committed to the bill. "To get the whole country" similarly committed, he said, "is the height of my ambition." The coming election, Stephens thought, would be an "almost death struggle" between "the friends of the Union under the constitution . . . and the open and avowed enemies of both." For this reason he would follow the "dictates of duty" and support Buchanan, and he could care less, he said, if it brought about his political downfall.<sup>20</sup>

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<sup>20</sup>Roy Franklin Nichols, The Disruption of American Democracy

There was little danger that supporting Buchanan would do this--even in Georgia, where Douglas sentiment was strong and where the Know Nothings were preparing for an energetic campaign. Daily more and more southerners were realizing that the Democracy was the only safe haven for southern rights left to them, and that the contest of 1856, was, as Stephens described it "almost [a] death struggle." For evidence of the fact all one had to do was pick up a newspaper, and there he would find copious reports of the civil war in Kansas, not to mention accounts of the seemingly interminable Kansas fracas in Congress.

This was the fracas which, for the moment, occupied almost all of Stephens' time. The three-man House investigating committee which had left Washington in March for Kansas was back. The two Republican members, William Howard and John Sherman, made their report on 1 July--with appended testimony it ran over 1,200 pages--and it upheld their party's position in every particular: elections under the territorial laws had been carried by bands of Missouri invaders; the Shawnee legislature was "illegal" and so were its laws; neither Whitfield nor Reeder had been elected under valid law; the Free State Topeka constitution, however, did embody "the will of the majority of the people." The bitter dissent of the committee's lone Democrat, Mordecai Oliver of Missouri, was just as partisan, but through it Congress and the nation learned the gruesome details of the Pottawattomie killings.

This information had not the slightest effect on the majority

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(New York, 1967), 17-31; Thomas W. Thomas to AHS, 11 June 1856, Stephens Papers, EU; AHS to Thomas W. Thomas, 16 June 1856, TSC Corr., 367-72.

of the Committee on Elections, which, it will be recalled, had been grappling with the Whitfield-Reeder dispute since February. On 24 July it too brought in its report. As expected, the majority declared that Whitfield was not entitled to his seat because his election had been "without authority of law." It applied the exact same language to Reeder's election, but decided that he was entitled to the seat since he was "the choice of a much larger number of [Kansas] residents." On the twenty-seventh, therefore, the Committee on Elections offered resolutions in accordance with these findings.

Stephens, as spokesman for the minority, savagely attacked these findings and the magnificent non sequitur they had engendered: both in his own report and in a speech he delivered against the resolutions on 31 July. It was a sizzling day in the capital, and congressmen writhed in the stultifying heat of an abysmally crowded House chamber. Little Aleck, quite in keeping with the weather, heatedly denounced the resolutions. He had spent a week reading and digesting the mass of testimony, and now declared flatly that it "has not changed the merits of the case one iota." Much of what Stephens said this day he had said before, only now he had Howard's report before him. With characteristic thoroughness and legal analysis he proceeded to dissect the testimony--"sift it a little," in his words, "to see how far it warrants the conclusions of the committee." Naturally, by the time he had finished his sifting, not a single committee conclusion was upheld.

The gist of Stephens' case was what it had been before: that bare proof of illegal voting was insufficient to set aside an election.



To do this, Stephens argued, it must be proved that the illegal votes had actually changed the result. The committee had merely asserted that illegal voting had taken place; it had shown neither the number of these illegal votes nor where they had been cast. And most importantly, it had failed to prove that the result in the election would have been different if every single illegal vote were thrown out. Little Aleck had painstakingly broken down the census reports for Kansas. His analysis had indicated that in February 1855 settlers from the South had outnumbered settlers from the North. On the dubious assumption, then, that all settlers from the South were proslavery, he proved, at least to his own satisfaction, that "the result, upon all reasonable and rational grounds . . . would have been the same as it was."

The balance of Stephens' speech also traversed familiar ground: he scored the Republican party as one "determined to 'rule or ruin,' . . . a party formed upon geographical lines against the warning in the Farewell Address of the Father of his country." The true cause of all the difficulties "lies in no real grievance in Kansas, but in the aims, objects, and purposes of this party. . . . They wish to govern Kansas, not according to the wishes of the people there, but as they please." He pleaded once again for passage of the Toombs bill "which still sleeps on your table," and for a faithful application of the principles of the Kansas-Nebraska act. And then he was finished.

The speech "took well," Stephens told Linton. And indeed it had--among Democrats. House members immediately ordered up 50,000 copies for use as campaign documents, and there was talk of having

100,000 more printed.<sup>21</sup> But the Republicans soon showed how susceptible to logic they were: the day after Stephens' speech the House voted, 110 to 92, to unseat Whitfield. Evidently some Republicans were then stricken with a sudden zeal for legality, for the majority refused to sustain the seating of Reeder. Like Sumner's vacant seat in the Senate, the vacant seat for the Kansas territorial delegate was richly symbolic. Nothing so poignantly underscored the paralysis that gripped the national government. After eight months of discussion, investigation, and debate, the Kansas problem was no nearer solution than it had been in December.

No such paralysis stymied the Kansas governor, however. In a burst of zeal for the law, Shannon had requested and received the assistance of federal forces from Leavenworth, who then proceeded, on 4 July, to disperse the Topeka legislature. This purge proved to be Shannon's undoing. An embarrassed administration disavowed his action, and in late July Pierce removed Shannon and appointed John W. Geary of Pennsylvania to what, from all appearances, was the most thankless job in the United States.

But Geary did not depart immediately for the frontier. He had a perfectly valid reason for delay. The implacable Republican majority in the House had tacked an amendment onto a routine army appropriations bill which forbade the President using federal troops to enforce the

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<sup>21</sup>House Reports, 34th Cong., 1st sess., No. 200 (Serial 869); Stephens' minority report in ibid., No. 275 (Serial 870); Stephens' speech in Cong. Globe, ibid., Appendix, 1070-76; AHS to LS, 2 August 1856, Stephens Papers, MC.

territorial laws of Kansas, and the new governor positively (and understandably) refused to descend into a pit of vipers without protection. The Senate had stricken the rider, but the House had reinstated it, and three separate conference committees had failed to resolve the matter. It was still unresolved when 18 August, the day set for adjournment, arrived. Speaker Banks was perfectly content to allow things to stand as they were, and thus adjourned the House sine die.

Franklin Pierce, however, was not about to let Kansas completely disarm the United States army. He called a special session of Congress to deal with the appropriations bill. His resolve in this case did not even find favor with most Democrats, who, like their Republican opponents, preferred to leave the issue just where it was, and use it during the campaign.

Not the least upset by the special session was Congressman Stephens. He was literally on his way to the docks, bags packed and bills paid, when he received news of the President's call. His cases in court in Georgia were pressing, but, said Stephens, "I must stay." By this time he had lost all faith in Pierce. "I do verily apprehend that the miserable little creature in the White House is lapsing back into his original policy in . . . Kansas." To prevent such a "relapse," Stephens, unlike Toombs, endured the steamy confines of Washington for yet another twelve days.

Stephens himself was more than a little steamed during the ensuing session by the feckless indifference of his southern colleagues to what he regarded as a matter of great moment. Some of these colleagues

had left, which was bad enough; but others stayed on, only to so besot themselves with liquor that they missed voting. Hence the appropriations bill, or the votes to reconsider it, was several times lost. "I sometimes fear the glory of the South has departed," Stephens fumed. "A miserable set of drunken debauchees fill the places once filled by statesmen."

While Stephens raged, the House refused to recede from its rider. On the sixth day of the session, the House agreed to a conference. Little Aleck, along with Sherman and Stephens' old Ohio antagonist Campbell, served for the House. The conference got nowhere. Finally on 30 August, an hour or two before the scheduled adjournment, two Know Nothings abandoned their opposition to the administration and enough Democrats were scraped up to pass the army bill, by a vote of 101 to 98, without amendment.<sup>22</sup> So Pierce had his way, the country had its army, and the Congress at last had respite from the heat and frustration of one of its most fruitless sessions on record.

There would be no respite from politics, however. The presidential campaign, a most crucial one for the fate of the Republic, was already in full swing. And Stephens, like most of his colleagues, fully appreciated the magnitude of its importance. But as Little Aleck hurried back to Georgia in early September he had even more important matters on his mind, personal matters--duties that even the fate of the republic must wait on.

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<sup>22</sup>Nichols, Pierce, 478-79; AHS to LS, 19, 22, 23, 24, 29, 30 August 1856, Stephens Papers, MC; Rabun, "Stephens," 446-47.

His brother John had died, stricken with apoplexy on 16 June in LaGrange. He had left behind him a wife, six children, two slaves, over 43,500 in debts--and one grief-stricken older brother. Indeed, only shortly before John's death, Alex had severely scolded him for his conduct of a lawsuit. John, he had told him angrily, was "hopelessly beyond my reach." This characteristically testy blast John had answered with a repentant admission: he was, he said, but "a poor blind creature" who would try "to conform to your view of things" in the future. These were the last words Stephens ever received from his brother.

John Stephens was now beyond the reach of Stephens' pique--and his remorse. And this latter fact tormented Alex severely. He was, he told Linton, "overwhelmed with grief," and suffering all the more keenly because "I often got fretted with him . . . and wrote things that may have wounded his feelings. . . . if I could recall any unkind word, look or reproof ever given it would afford me relief as well as consolation." This consolation was, of course, denied him, but he was able to help John's family. His impulse to do so was instinctive. Immediately upon learning of John's death he had resolved to "do what I can to keep those most dear to him from want."

Stephens had made this resolution even before knowing that John's will had entrusted this very task to him. Not only was Stephens named executor, but sole heir and manager of his brother's meagre estate, and virtual guardian of his children. It took some time--the pressures of campaigning were particularly severe this fall--but

by November Stephens had untangled John's debts (clearing off over \$2,000 worth with money out of his own pocket), moved the family from LaGrange, and installed them in a house he bought for them in Crawfordville. He remembered only too well "the bitter pangs attending the breaking up of [his own] family" to allow his brother's family to be dispersed.<sup>23</sup>

In his initial shock over John's death Stephens had cancelled a scheduled speech in New York City, and had even intimated that he might not speak at all during the summer. But Stephens found it impossible to stay off the stump for even a month. He had already delivered a speech for Buchanan in Alexandria, Virginia, on 16 July, and early in August he spoke to some 6,000 at Chambersburg, Pennsylvania. One observer was astounded by his appearance--"a well-preserved mummy"--but found him "an unusually earnest, incisive and impressive speaker."

While Stephens appeared in Buchanan's home state, Cobb entertained the downeasterners in Maine, and Toombs spoke in Fredrick, Maryland. The Democrats were clearly worried about their prospects in the northern states. Hence, their liberal employment of such heavy artillery.

But Georgia's Democrats were no less concerned about their fortunes at home. For the Know Nothings, despite their crushing defeat in 1855, had refused to roll over and die. The more committed of them actually believed that Fillmore was "the first choice of the masses."

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<sup>23</sup>AHS to John L. Stephens, 24 June 1856, Stephens Papers, DU; AHS to LS, 20 July, 14, 15 November 1856, ibid., MC; estate papers of John L. Stephens in Norwood, Liberty Hall, 210-12; Johnston and Browne, Stephens, 314.

Other Fillmore men in the South realized the strength of the Democratic ticket, and raged in helpless impotency against "the suicidal act of the south in repealing the Missouri compromise."<sup>24</sup> This latter position, in fact, the southern Americans soon recognized as their strongest weapon.

Rigid consistency had never been the rule among Georgia's politicians, especially when its violation promised tangible political rewards. All that was ever required after 1844 to win in Georgia politics--or southern politics, for that matter--was convincing the voters that southern rights were safer in your own hands than in those of your opponents. If such a course required inconsistency, so be it. With the exception of a small cadre of hard core southern radicals, none of Georgia's politicians ever hesitated to swerve, if circumstances seemed to warrant it, into the most expeditious political channel.

And this is what Cracker Know Nothings did in 1856: they openly repudiated the Kansas-Nebraska act, a bill the great majority of them had hailed as an "act of justice to the South" only two years before. The Democrats, shackled by their platform if not by conviction to the Nebraska bill, enjoyed no such latitude. Thus, the lines were drawn--the discernible lines, that is, for the campaign issues were, as usual, considerably obscured under mountains of meaningless bombast and effusive claptrap.

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<sup>24</sup>AHS to LS, 17, 20 July, 10 August 1856; Andrew K. McClure, Recollections of Half a Century (Salem, Mass., 1902), 357; Milledgeville Federal Union, 19 August 1856; W. G. Brownlow to John Bell, 15 January 1856, John Bell Papers, LC; James McCallum to id., n. d. June 1856, ibid.

The American candidate, Millard Fillmore, had given the nudge to his Georgia adherents by declaring in July that the repeal of the Missouri compromise had been a "Pandora's box" from which all the subsequent evils afflicting the country had issued. The plain implication was that Fillmore favored a restoration of the Compromise, and this is exactly what northern Know Nothings maintained. Undismayed, Georgia's Know Nothing party, all the while maintaining that it was the only national party in the race, met in Columbus in July and coolly condemned a restoration of the Missouri line, denied "any responsibility for the squatter sovereignty and alien suffrage heresies that have received the sanction of the present administration," and announced its adherence to "the principles of the Utah and New Mexico territorial bills . . . as . . . the true Territorial policy of the government."

Just exactly what this last platform plank meant is difficult to say. It seemed to envision some vague notion of popular sovereignty, but for the purposes of attacking the Democrats the hazy formulation served Know Nothing needs admirably. For it allowed them to attack the Kansas-Nebraska act and Pierce's policy under it as dangerous to southern rights: not only had it unleashed squatter sovereignty, but it had also granted the franchise to odious and ignorant foreigners.

Stephens, who regarded the Nebraska bill as the "greatest glory of his life" and the election as a life-or-death matter for the South, was at first disposed to view the Know Nothings with a condescending, but irritated, pity:

When I see Southern men Georgians, large slaveholders  
doing all in their power to strike down the only men at



the North who stand between them and those who would cut their throats and put their negroes over them I do not know that it ought to be a matter of such personal interest to me what fate befalls them.

. . . Some of them I believe know better. Those I abhor, but as a class I pity them. I know they are deceived and act from passions and prejudices that they are not conscious of. They are nothing but poor . . . erring mortals who may see their error when it is too late to remedy it.<sup>25</sup>

But as these poor mortals' transparent duplicity became obvious, and as they persisted in error, Stephens' compassion changed to revulsion. His longtime supporter, Jones of the Chronicle, was now proclaiming the principles of the Nebraska bill as more odious than those of the Wilmot proviso. "It is possible," said Stephens maliciously, "he does think [so]. All freesoilers do, and I am not certain but he is one at heart. . . . Why did Jones sanction those principles when first announced . . . ? Why did the party in Macon do it last year--Oh shame where is thy blush[?]" What these traitors really desired, Stephens asserted, was a restoration of the Missouri restriction, a course that removed all chance of the South's receiving "her portion of the territory" and further, one that Georgians were pledged to resist under the Georgia Platform. "If they are for putting [the restriction] back let them openly say so--and let them no longer pretend to be G. Platform men but let them go over to the freesoilers where they belong." His mood was even fouler as he prepared at the end of August to return home for the campaign. The Fillmore movement, he was

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<sup>25</sup>Montgomery, Cracker Parties, 171-72; resolutions of the American mass meeting in Columbus quoted in Haywood J. Pearce, Benjamin H. Hill: Secession and Reconstruction (Chicago, 1928), 13; AHS to LS, 2 August 1856, Stephens Papers, MC.

convinced, would do nothing "but sow seeds of future discord." Political intelligence from the North indicated a most alarming state of affairs "and yet thousands of even Georgians would sing hosannas at the triumph of our enemies. Oh human nature how frail, how weak & how ignorant thou art." Once back home Stephens spared neither time nor energy in throwing himself into the fight. Toombs had already been on the ground for several weeks. "The order is vigilant and untiring and fighting for their necks," he warned his friend, and moreover "were making some impression on the 8th Dist." "The great fight is in the 8th," echoed Thomas. "They have boasted they intended to make this district the battle ground. . . . This district is not safe unless you put in strong."<sup>26</sup>

This Stephens intended to do, but first he had personal matters to attend to: visiting John's grave in LaGrange and seeing to the needs of his family. This unpleasant task accomplished, Stephens began his campaign on the eleventh in Chattanooga, where with Howell Cobb he delivered an address to a large crowd of Tennesseans and north Georgians. Despite the fact that he had given "a great speech," Stephens confessed that he "really felt self abused. . . . a great many old Whig friends were out who now disagree with me and I was mortified . . . that they were not giving me their wonted smiles."

The Chattanooga speech was one of the few Stephens delivered outside of his district during the campaign--another was at a monster

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<sup>26</sup>Ibid., 10, 31 August 1856; Robert Toombs to AHS, 3 September 1856, TSC Corr., 380; Thomas Thomas to id., 5 September 1856, ibid., 381.

rally at Atlanta on 17 October--for his old Whig friends close to home were not bestowing many smiles upon him either. The Nebraska bill, charged the Rome Courier, was a "double headed monster" sired by Douglas and Stephens. "If Mr. Stephens and his coadjutors had let the Compro-mise alone, this Union would not be in imminent peril of disruption."

Stephens, said the Chronicle, was deceiving the people by denying that squatter sovereignty was enacted by the Kansas bill. The odious doctrine was there, and it was intended to be. How could he now defend the principles of Cass, which he denounced in 1848 as "treachery to the South?" Taking its cue from the Democratic editors of bygone days, the Chronicle now chastised Stephens by reprinting his Texas "I-am-no-defender-of-slavery-in-the-abstract" speech several times. Naturally too, at least one American editor branded Stephens with the all-purpose expletive: abolitionist.<sup>27</sup>

Little Aleck countered all of this vituperation with his accustomed energy. Everywhere his theme was the same: the enemies of the Nebraska bill and the enemies of the South were one and the same; the measure had not a particle of squatter sovereignty in it. Only once did he let his guard down. On 22 October, a few days before the election, he shared the platform at Lexington with Benjamin H. Hill, the Know Nothing party's brightest young luminary--and more than a match on this occasion for the rhetorical wiles of Alexander Stephens.

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<sup>27</sup>AHS to LS, 15 September 1856; Milledgeville Federal Union, 21 October 1856; Rome Courier, quoted in Augusta Chronicle and Sentinel, 6 September 1856; ibid., 8, 15, 21 October 1856; Wilkes Republican, 1 August 1856, quoted in Augusta Constitutionalist, 8 August 1856.

Since the death of Senator Berrien in January 1856, Hill stood alone as the American party's most brilliant and magnetic leader. He had served one term in the Georgia Assembly (1851-52) and had been narrowly defeated for a second in 1855. Only thirty-three years old in 1856, the tall, fair-haired, blue-eyed lawyer-planter from LaGrange was the very apotheosis of noble southern manhood. He was bright--he had vied with Linton Stephens for all of the top oratorical and scholastic honors at the university; he was rich--he had amassed an estate of over \$100,000 and owned over 50 slaves; and he was fearless. He had already campaigned for Fillmore all over the state, had met Linton in debate three times, and was ruffled not at all by the prospect of debating Linton's older, more famous, brother.

Little Aleck made the serious error of underestimating his young opponent, and instead of concentrating on the issues directed a series of abusive and tasteless thrusts at both Fillmore and the party he represented. While Stephens maintained himself in what argument there was, he was decisively humiliated in the insult-trading. Hill took particular delight in turning Stephens' villification of his former Whig friends back upon him. It ill became him now, he charged, to abuse his conscientious former friends. Why, Stephens himself was a turncoat. These men had elected him and supported him for thirteen years. They had made him what he was. "Men did not make me," Stephens shot back hotly. "God Almighty alone made me." "If God alone made you," Hill retorted, "He did not pronounce you good." The crowd loved it.

That Stephens had selected poor tactics at Lexington was borne out by Hill's next encounter--with the indomitable Toombs at Washington

the following day. Constantly kept on the defensive by the senator's roaring inquiries and clever ripostes, Hill achieved no better than an honorable draw at best. But the consensus of the state's American press was that Stephens had been badly beaten. Hill "met him on his own dunghill," crowed the Athens Southern Watchman, "and, . . . humiliated him and whipped him badly in the presence of his warmest admirers." Stephens, gloated the Chronicle, had been "completely . . . used up and demolished." And the Democrats lent credence to the Know Nothing boasts. Hill's conduct towards the sainted Little Aleck, reported one correspondent, was "disgustingly rude." Outraged citizens of Atlanta promptly burned Hill in effigy.<sup>28</sup>

If Stephens' thin skin was pricked by the press reports he gave no immediate indication of it. He continued his hectic speaking schedule. Election day, 4 November, was fast approaching. For the moment at least, dealing with the young IaGrange upstart would have to wait on the singularly more pressing task of carrying Georgia, and, as a point of honor, his own district, for Buchanan.

Had any of the Know Nothings at a huge rally in Atlanta on 2 October been disposed to see omens, the fall of a Morgan county

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<sup>28</sup>Augusta Chronicle and Sentinel, 29, 31 October 1856; Athens Southern Watchman quoted in E. Merton Coulter, "Alexander H. Stephens Challenges Benjamin H. Hill to a Duel," Georgia Historical Quarterly 56 (Summer, 1972): 179. The Lexington debate evidently was not Stephens' only lackluster performance of the campaign. One ex-Whig, later to become one of Stephens' most fawning admirers, reported that Stephens had "signally failed" in a speech at Waynesboro. "The whole speech was utterly unworthy of his great intellect & great stump talents." Andrew H. H. Dawson to [Thomas W.?] Thomas, 13 November 1856, Andrew H. H. Dawson Papers, DU.

delegate to his death from atop an eighty-foot flagpole might have given him pause. His swift descent from the heights and his unfortunate end mirrored exactly the fate of both the Georgia and the national American parties. The Know Nothings failed to survive their first presidential election. After shattering over the slavery question in February, the Americans lost all pretensions whatever to nationalism, and as the campaign progressed the party was steadily weakened by desertions from the ranks. Many sober-minded southern Know Nothings gradually woke up to the fact that the defeat of Fremont might well be critical to the preservation of the Union, a fact that the Democrats unceasingly emphasized. Consequently many heretofore reluctant ex-Whigs defected to the Democrats. In Georgia this group included men like Charles Jenkins, Francis Cone, and Eugenius Nisbet. Similar fears had a like effect among northern Know Nothings and ex-Whigs. Men who placed the safety of the Union above all other considerations gravitated to Buchanan. And in the end it was these men who provided Buchanan with his margin of victory. He won the election with 174 electoral votes.

The Pennsylvanian's victory in the South had never been seriously in doubt. Indeed, with the lone exception of Maryland, which gave its 8 electoral votes to Fillmore, Buchanan carried every slave state. But Fillmore's vote in the South was hardly insignificant: he had captured 43.9 percent of the popular vote, a 25 percent increase over Scott's totals of 1852. In the North, however, Fillmore's popular vote was only slightly more than 13 percent; and Buchanan managed to win only five states: Pennsylvania, New Jersey, Illinois, Indiana,

and California. Fremont took the rest, a total of 114 electoral votes.

Stephens was no doubt gratified by the results in his district. The Eighth had gone for Buchanan, 4,907 votes to 3,817 votes for Fillmore; "Old Buck" had carried the state by a margin of 14,200 votes out of a total of almost 100,000. But the national totals could not have failed to shock him, for they portended nothing but future strife and ominous danger to the South, its institutions, and possibly the Union itself. In its first presidential contest, the Republicans had demonstrated astonishing strength--over 1,340,000 northern voters had cast their ballots for an avowedly sectional party, a party which in southern eyes personified all the hateful forces of northern fanaticism.<sup>29</sup> The national Democracy, as the election demonstrated, would have precious little room for error in dealing with this threat.

For the time being, however, Little Aleck pushed these depressing thoughts out of his mind. He had a threat to deal with closer to home, a threat to his cherished reputation as a man of honor and integrity, and worse, a blow to his monumental ego. While in court at Augusta in mid-November Stephens had received reports that Hill, in speeches at Augusta and Thomson, had boasted of charging Toombs and Stephens "with having betrayed the Whig party and acted towards it worse than Judas Iscariott [sic]--for though he betrayed his master yet he did not abuse him afterwards." Hill, so ran the reports, "had thundered this in [their] ears and [they] had cowered under it."

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<sup>29</sup>Rabun, "Stephens," 454 and n.; Avery, History of Georgia, 43; Montgomery, Cracker Parties, 175-79; Potter, Impending Crisis, 261-65; Georgia returns in Milledgeville Southern Recorder, 11 November 1856.

Stephens, although busy with settling John's family into their new house and preparing to depart for Washington, could not ignore this infuriating intelligence. On the seventeenth he wrote Hill a cold note. Were the reports true? He received his reply on the twenty-second, a turgid missive in which Hill first denied the assertions made about him, and then qualified it by saying: "I never abuse anybody, never myself make personal issues in public speeches, but generally reply to anything which I consider merits a reply."

Stephens should have been satisfied with the reply, but he was not. He pressed Hill further in a second letter for a specific denial of imputing treachery to him. Hill's long reply was waiting for him upon his arrival at Washington. One glance at this insolent letter was enough to prompt Little Aleck's usual action in such situations: through his friend Thomas he dispatched a challenge to a duel to the "grand liar and . . . arch knave" in LaGrange. Not only was Hill's latest letter unsatisfactory, but it was also filled with none-too-subtle insults. Stephens was furious. "Hill has lied most villianously [sic] in this letter," he seethed.

If Hill's two previous replies had angered Stephens, his response to the challenge must have set Little Aleck's frail frame aquiver with rage. Hill refused to fight. "Though you may not consider your life valuable," he said, "yet to take it would be a great annoyance to me afterwards. . . . I never engage in farces." Besides, he continued, duelling was against the law--both God's and Georgia's.<sup>30</sup>

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<sup>30</sup>AHS to LS, 26 November 1856, Stephens Papers, MC; the entire Hill-Stephens correspondence is printed in Benjamin H. Hill, Jr.,



The controversy was anything but farcical to Stephens. He considered himself "deeply and grossly wronged" and he intended to right the matter even "at the cost of my life." Perhaps more than in any of his previous near-duels, Stephens was motivated in this one by a consuming hatred. He longed to shoot Hill--and all of those dearest to him, Linton, Toombs, and Thomas, egged him on. Toombs, for example, told Stephens he was "rejoiced" to hear about the challenge. Stephens had already determined upon releasing the correspondence to the newspapers in hopes of drawing Hill out, but Hill's refusal of the conventional challenge had convinced him that a more effective prod was required.

So he applied that prod in a card to the Constitutionalist. Before the citizenry of the entire state he branded Hill a coward, "an impudent braggart and unscrupulous liar," and, for good measure, "a despicable poltroon besides." Stephens, who up to this point had carefully observed all the intricate amenities of the code duello--he and Thomas had engaged in a long discussion on weapons--evidently needed some reassurance on the propriety of this latest step. He had not known what other course to follow he told Thomas. "I did not wish to be coarser in my language than the necessity required. Was I enough so or not. Was I too short or not."<sup>31</sup>

Stephens received his answers soon enough, both from Hill and

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Senator Benjamin H. Hill of Georgia, His Life, Speeches and Writings (Atlanta, 1893), 20-31.

<sup>31</sup>AHS to LS, 9, 13 December 1856, Stephens Papers, MC; LS to AHS, 5 December 1856, ibid., EU. Robert Toombs to id., ibid.; Augusta Constitutionalist, 17 December 1856; AHS to Thomas W. Thomas, 12 December 1856, Stephens Papers, DU.

from Thomas. The former's was in a public letter to the Chronicle. It was long (two full columns of close type), wonderfully sarcastic, and more insulting than anything which had yet passed between the two men. The adroit Hill turned all of Stephens accusations back upon him. A braggart? Why Stephens had compared himself to Moses in one speech, to an eagle soaring above owls in another--and who had not heard him boast about his and Toombs' role in passing the Compromise of 1850? A liar? Hill enumerated five instances in which Stephens had taken liberty with the truth. "It seems to me this makes the gentleman a perfect 'Colt's repeater' in the matter of telling falsehoods." A poltroon? "He forged his grievance, manufactured his excuse, acted only a pretender in his challenge, and is therefore a poltroon!" Hill finished with a flourish:

In our discussions at Lexington, I deemed it a duty in reply to his slanders of honest men, to draw a picture of his own course. . . . the very sight of his own picture run him mad. It was true to life, and therefore the more hideous. Hence his sore. He had been allowed to misrepresent until he concluded he had a right to do so, by lapse of time and immemorial usage. His adverse possession of falsehood he deemed furnished an absolute bar to the entry of truth by the statute of limitations. . . . He is a mono maniac on the subject of falsehoods.

As for duelling, said Hill, he considered it "no evidence of courage, no vindication of truth, and no test of the character of a true gentleman."

With this masterly shot, the verbal duel ended. Hill gave the whole correspondence to the newspapers, and soon all of Georgia and a good portion of the surrounding region were chuckling with delight.

Stephens' challenge was looked upon as a joke, and Hill's classic comment--"I have a family to support and a soul to save, while Stephens has neither"--set crackers to guffawing from Atlanta to Savannah.

The Democratic papers evidently found the whole affair embarrassing, running the correspondence with little or no comment. Naturally, the American papers had a field day. The Southern Recorder extolled Hill (a bit extravagantly) as "an exemplary man of the church," respectful of the laws of God and man. And Parson Brownlow, the acerbic editor of the Knoxville Whig, tendered Hill a friendly suggestion:

We propose that he accept the challenge, and then fix the place to be a hog-pen, just after a hard rain, and the weapons to be dung-forks, with the understanding that whoever throws the other overboard, is the victor. In this event, Hill will toss out the feverish ambitious shadow of a man, and leave the so-called field of honor, without the shedding of blood!<sup>32</sup>

In spite of the reception his card had received--"general opinion is that your card is too severe," said Thomas--and Hill's devastating rejoinder, Stephens was still not content to let this ridiculous affair end. Perhaps, he suggested to his erstwhile second, he should publish his version of the Lexington speech so the public could have all the facts. And as for the public's reaction, "I care but little for what 'Tom, Dick & Harry' may think of it." Thomas, who certainly did not number coolness of temper among his virtues, had by this time seen the futility of protracting the controversy further

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<sup>32</sup>Benjamin H. Hill to the editor, 18 December 1856, Augusta Chronicle and Sentinel, 23 December 1856; Milledgeville Southern Recorder, 10 February 1857; Knoxville Whig, 27 December 1857, clipping in Stephens Papers, LC.

and advised Stephens to drop it.

He did, but the whole affair continued to rankle him. Hill's published letter, he said, "is a base and vile tissue of falsehoods & vituperation. It is the snapping, growling and howling of the running cur, and all I can do is let him run, snap, growl & howl on."<sup>33</sup>

But it was Stephens who was still chewing over the bone of contention weeks after Hill had allowed the argument to sink into a well-deserved oblivion. Little Aleck could not let the issue rest until he had gathered the testimony of enough admirers and sycophants in Washington and at home to convince himself "that Hill is regarded by men of honor and even by sensible . . . people who oppose duelling on principle as a cowardly blackguard and nothing else." By way of contrast, he told Linton, that "I stand higher I think in the opinion of all men here at this time than I ever did before. I am received and greeted with a cordiality never before exhibited."<sup>34</sup>

It was a good thing for Stephens that he had such associates. Gigantic as his ego was, it was still fragile, protected only by Stephens' own self-constructed defenses--his habitual guises of intellectual superiority and moral rectitude. Hill's audacious assaults had certainly pierced the first of these defenses, and battered the other--and Stephens never forgave him for it. Not, that is, until Hill was

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<sup>33</sup>Thomas W. Thomas to AHS, 29 December 1856, Stephens Papers, LC; ibid., 12 January 1857, EU; AHS to Thomas W. Thomas, 29 December 1856, ibid., LC; AHS to LS, 30 December 1856, ibid., MC.

<sup>34</sup>AHS to Thomas W. Thomas, 16 January 1857, Stephens Papers, DU; id. to LS, 15 January 1857, ibid., MC.

on his deathbed. Of all his political opponents, the many past and the many future, Stephens despised Ben Hill above all. And when he finally forgave him in 1882, this infuriating encounter, so important to him now, had long since disappeared behind the mists of time and great clouds of acrid gunsmoke.

## CHAPTER XIII

### LITTLE BALM AND MUCH OUTRAGE: DRED SCOTT, BUCHANAN, AND WALKER

The country needed repose in 1856, or at least a hiatus in the steadily increasing cycle of sectional tensions, but what it received when Congress met in December was more recrimination. In the House Stephens and his allies had to listen to lengthy Republican denunciations of Franklin Pierce. The President had taken the occasion of his last annual message to Congress not only to congratulate the country on the results of the election and defend his policies but also to blister the Republican party severely. The message sounded more like a campaign tract than a state paper: the people, said Pierce, had emphatically condemned sectional parties and vindicated glorious Democratic principles, the equality of the states and a devotion to the Union. They had done this, he continued, in the face of a determined enemy, the Republican party, an enemy bent not only upon restricting slavery but upon "changing] the domestic institutions of existing states," an enemy which had attempted "to usurp the control of the Government of the United States." This message naturally touched off an explosion of resentment among the Republicans, and for a month both houses of Congress were convulsed with yet another angry debate on slavery and Kansas. Until they had their say, House Republicans were not even disposed to allow

the message to be printed. At least one southern paper found the whole spectacle "disgusting," and all the more so because southern representatives were so lacking in self respect and regard for the public interest as to allow themselves to be seduced "into this disreputable squabble."

If there was one quality that Congressman Stephens possessed in abundance it was self respect, and it certainly did not deter him from adding his voice to the dissonant chorus in Washington. On 6 January 1857, before galleries "filled to overflowing with the families . . . distinguished statesmen--members of foreign legations--dashing belles, [and] a sprinkling of [Washington's] best residents," Stephens delivered a one-hour speech. It was received by the vast assembly, said one correspondent, with "deep and reverential silence."

What Stephens had to say, however, was not deep, although it was certainly reverential of the "principles" vindicated by the recent election. "The conflict is now over," Stephens announced grandly. "The issue, so far as the election was concerned, is now decided." The country was to be congratulated "upon our safe deliverance." Never at any time had he addressed the House "with greater personal gratification" than he now did, for the popular verdict had sustained his most cherished principles.

What followed was a long and tedious review of those principles: no congressional prohibition of slavery in the territories and popular sovereignty. Much of what Stephens said, he had said before--the territorial principle embodied in the Compromise of 1850 and the Kansas-Nebraska act was identical; settlers in the territories had

wisely been allowed to determine their own fate. And the election had powerfully vindicated these principles. "Sectionalism has been signally rebuked and constitutionalism gloriously triumphant." Luxuriating in the triumph of constitutionalism, Stephens was led to make a disarming admission. The "main point" of the Kansas-Nebraska act was the vindication of principle. "It was not from any confidence, in a practical point of view, that these territories ever would be slave States." At least this was why he had supported the bill:

For, when I looked out upon our vast territories of the west and northwest, I did not then, nor do I now consider them . . . becoming slave States. Besides the laws of climate, soil, and productions, there is another law . . . which seemed to be quite as efficient in its perspective operations in giving a different character to their institutions, and that is the law of population.

He would prefer of course, he said, as a southern man, to see Kansas come in as a slave state; but this desire had not impelled his support of the Kansas bill, only the maintenance of a principle "essential to the peace of the country and the ultimate security of the rights of the South" had done so.<sup>1</sup>

Why Stephens thought it necessary to declare this now is impossible to say. Perhaps he was preparing his constituency (and himself) for the ultimate victory of free-soilism in Kansas, or maybe this was his way of applying a cooling balm to the latest sectional inflammation. However, it is more likely that he was merely speaking the truth as

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<sup>1</sup>Richardson, Messages and Papers of the Presidents, V, 397-404; Savannah Republican, 22 December 1856, quoted in Rabun, "Stephens," 462; Charleston Courier, 7 January 1857, quoted in Savannah Morning News, 14 January 1857; AHS speech in Cleveland, Stephens, 561-80.



he saw it--at the time. After all, any sensible man, northern or southern, could recognize the applicability of laws of climate, soil, and population to the spread of African slavery. The only reason that slavery had even attained a foothold in Kansas was through the illegal machinations of the territory's nearest neighbors, machinations carried out in defiance of all laws, climatal, demographic, and statutory. Stephens, a stickler for legalities, had, up until now at least, been able to maintain the southern cause in Kansas only by the narrowest reading of the statute law. And the freesoil forces, by their own manifestly illegal operations, had only lent him their aid. But the resolution of the Kansas issue was swiftly approaching, and if the question was to be disposed of in some fair manner--say along the lines of the Toombs bill--then it was quite likely that Kansas would be admitted free. Stephens realized this, and spoke accordingly.

Unfortunately he and all of his southern Democratic compatriots had backed themselves onto a most unsteady limb, and were now swaying precipitously over a chasm of political ruin. For during the campaign, and indeed for a long time before, southern Democrats had dangled the prospect of a slave state Kansas before the voters. Simply by following the logical imperatives of slave state politics the Democrats had now placed themselves in a logically untenable position, and their domestic political enemies--no practitioners of rigid rationality themselves--were quick to seize the initiative.

The southern Know Nothings, far from being silenced by the drubbing they had received in the election, were maintaining a relentless

pressure on their opponents, and they gleefully pounced upon Stephens' speech as evidence of what they had long contended--"the Democracy of the South mean to surrender Kansas to the Free Soilers! The poor South has been again deluded--humbugged--swindled," wailed the Recorder. "She has lost Kansas, and is compensated for it by the election of a Squatter Sovereignty President!" Tennessee Know Nothings were also in an uproar. "Why did we make an effort to dedicate Kansas to slavery," raged a Memphis editor, "when the Democratic leaders knew that [it] was in rebellion against an immutable law of Heaven? . . . Mr. Stephens must have been as well informed then as now. What excuse can he offer for keeping the people in ignorance? . . . Can the people of the South ever trust the Democracy after this?"

The ever-alert Thomas was swift to remind Stephens of the magnitude of the Kansas issue. His tone was almost frantic:

Kansas must come in as a slave state or the cause of Southern rights is dead. And I don't refer here to any balance of the federal system or any fool idea of that sort. . . . It has been predicted by the enemies of Southern rights at home that the plan of her organization would lead to free soil--we have led the people to believe otherwise--if their prediction is fulfilled and history should write the verdict against us, we go down and such knaves as Ben Hill & Co will rule during the present generation. . . . We can't afford to lose the point. We must have it our way or we are ruined.

Know Nothing papers had been charging that Buchanan secretly favored the Kansas freesoilers. If this were true, thought Thomas, he "richly deserves death, and I hope some patriotic hand will inflict it." Thomas hated Buchanan with a furious and inexplicable passion, but his paranoia was shared by thousands of his fellow southern Democrats.

Not necessarily by Stephens though. He was confident that Buchanan's policy in Kansas would follow the southern reading of popular sovereignty. All that the South could ask, he said, was "fair play." With fair play the South would get Kansas, but to do so southerners must emigrate there with their slaves--and this they were failing to do, Stephens noted with amazement. "Our people do not know the value of slaves there, to say nothing of their indifference to the value of having the question decided there in favour of their institutions." Information he had received was that slavery was very profitable in Kansas--slaveowners could "without doubt double their profits." If the South lost Kansas it would be her "own fault or inability as the case may be." Beyond demanding that the federal government allow "the right to us of expansion equal to our capacity" the South could not go. "Here we meet a law that we can not change or modify."<sup>2</sup>

Evidently Stephens had seen the handwriting on the wall: inexorable laws of nature had declared, or would declare, Kansas free. Slavery's hold on the territory was only technical--and its grip was being steadily weakened as freesoil settlers from the Northwest continued to arrive. Or so it seemed. It remained to be seen how Stephens would react if, by some feat of legerdemain, the proslavery settlers in Kansas managed to annul nature's laws.

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<sup>2</sup>Milledgeville Southern Recorder, 20 January 1857; Memphis Eagle & Enquirer, 21 January 1857, quoted ibid., 3 February 1857; see also Columbus Enquirer, 27 January, 3 February 1857; Thomas W. Thomas to AHS, 12 January 1857, TSC Corr., 392; AHS to Thomas Thomas, 16 January 1857, Stephens Papers, DU.

The outlook for Kansas, bad as it was, paled in comparison to news Stephens received from home in late January. Letters from Linton since early in the month had grown increasingly hysterical. His wife Emma had given birth to their fourth child--and the mother had contracted puerperal sepsis, a virulent childbed fever. After suffering for two weeks she died, and her husband almost went mad with grief. Stephens, who understood Linton's high-strung temperment and his doting admiration for his wife, made immediate preparations to depart for home. Everything else must wait. Linton needed him. But for a week, despite his anxiety, the weather stymied him. The Potomac was choked with ice, and moreover, his own health was precarious. For the first time in his sickly life Stephens was coughing up blood. Fortunately the affliction lasted only two days, and as soon as the weather broke, 4 February, he hastened home.

In the meantime he did his best to offer Linton what comfort he could by letter. His exhortations were all variations upon the same theme: "Do not despair." God's ways were inscrutable, he wrote, but suffering His dispositions with meekness and faith was a way to purity and growth. "Do not give way to passion," he pleaded.<sup>3</sup>

But Stephens' heartfelt advice went unheeded, and for a while James Thomas, who was attempting in Alex's absence to console his son-in-law, feared for Linton's sanity. Upon arriving in Georgia Stephens went immediately to Sparta, and he remained with his brother for three

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<sup>3</sup>LS to AHS, 15, 19, January 1857, Stephens Papers, MC; AHS to LS, 28, 29, 30, 31 January 1857, *ibid.*; *id.* to Charles I. Graves, 29 February 1857, Charles Iverson Graves Papers, SHC/NC.

weeks before returning home. His presence did little to ease Linton's pain. Only time could effect a cure. In his grief Linton turned to another remedy, alcohol, and the liquor only depressed him more.

"I do daily and fervently pray for death," he wrote upon Alex's return to Crawfordville. Nor did prayer and faith in God's providence provide any comfort. They were "humbugs," Linton declared despairingly. "God has blasted me and I verily believe He intends to damn me eternally. . . . I seem to be utterly incapable of making the slightest approach towards God or . . . a reformation of life."

Doggedly Stephens kept up a steady barrage of multi-paged letters to his brother. Linton was wrong to despair, he warned. "God chastizes those whom He loveth. . . . Remember Job in his afflictions." God allowed afflictions for man's ultimate good. "They subdue our passions, restrain our appetites, smother our temper, increase our confidence in an all ruling power and render us more obedient to his will." Just as earnestly he entreated Linton to refrain from drinking. "You may not think you drink too much, I tell you you ought not to drink any." Keep busy, Stephens exhorted--perhaps they should take a buggy trip to the country--remember your children who now need you so much. And over and over again: do not despair, do not despair, everything is for the best.<sup>4</sup>

While Stephens was at home--he had not the slightest intention of returning to Washington with Linton in such distress--events of the

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<sup>4</sup>James Thomas to AHS, 7 February 1857, Stephens Papers, LC; LS to AHS, 27, 29 February 1857, ibid., MC; AHS to LS, 27 February, 2 March 1857, ibid.

greatest significance were occurring in the capital. On a beautiful, balmy March Fourth James Buchanan took the oath of office as the United States' fifteenth President. Ordinarily the accession of a new President to office, with all of the shifts among placeholders large and small, the new faces in high places, and the general air of expectation and new beginnings would have dominated the newspapers and gossip in the capital's most fashionable parlors for days. And this no doubt would have been the case had not the Supreme Court chosen 6 March as the day to announce its most momentous decision of the nineteenth century.

The new President might have had trouble attracting attention even without judicial competition, although he was a man of fair ability and a well known figure. Born the year before Washington first took the same oath he had just taken, Buchanan was a veteran of over forty years of public service. He had twice served his country as foreign minister, once as Secretary of State, and had been intimately involved in Pennsylvania's chaotic Democracy from its inception as legislator, congressman, and senator. Tall, white-haired, and rather inclined to corpulence, the new President was fastidious and proper in manner and dress. Buchanan was the first bachelor to hold the highest office. Like his Democratic predecessors, Buchanan subscribed almost totally to the time-honored, and increasingly shopworn Jacksonian creed: laissez faire economics, frugality in government, and extreme antipathy to antislavery fanaticism. But in many ways Buchanan contrasted sharply with earlier Democratic Presidents. He had little of Pierce's affability, even less of Polk's grim determination, and absolutely none

of Jackson's unyielding defiance of southern extremism.

This is not to say that Buchanan was weak, an adjective liberally applied to him by many historians. Once Buchanan decided on a course of action, he could be downright tenacious. He was a mean and petulant opponent when crossed, and a man little inclined to trust people, especially people who disagreed with him. Buchanan's tragic flaw was not necessarily weakness of character, although to be sure, he lacked the steel so conspicuous in men like Lincoln or Jackson or even old Zack Taylor. Buchanan, though, like Taylor, lacked vision, that elusive quality possessed by all great leaders that allows them to see, or at least to imagine, the future and their own role in shaping it. Buchanan was a prisoner of his own conception of the American Union.

The real problem that confronted James Buchanan was not, in the final analysis, a specific one like the rising tide of antislavery sentiment in the North or the Kansas question, although these were the specific issues with which he had to deal, but a crisis of the American Union. It was Buchanan's sorry fate to preside over the nation when all of the old conceptions: of a confederated republic, of a central government of severely circumscribed powers, and of the rights of individual states to define for themselves their own spheres of sovereignty were becoming increasingly anachronistic in a society in the throes of rapid social and economic change. And the President subscribed to all of the old conceptions. Quite naturally then he gravitated toward men who believed as he did: southerners, products of an agrarian society which resisted change and whose economy rested on an institution growing more anachronistic with each passing year.

Buchanan's prosouthern proclivities had long been a matter of record. Never in the course of his long congressional and senatorial career had he voted against the South on a sectional issue. His best friends, political and personal, for many years had been southerners, and it should have come as no surprise to any well informed observer that his cabinet would reflect "Old Buck's" personal and political inclinations. Of the seven cabinet posts the North received three, one of which, State, was bestowed upon a fat, senile, and useless Lewis Cass, who had just been defeated for reelection to the Senate by Zachariah Chandler, the advance agent of Michigan's surging Republicanism. Issac Toucey, a self-made Connecticut Democrat of little talent or distinction, became Secretary of the Navy. A Pennsylvanian, Jeremiah S. Black, Attorney General, was the third northerner on the cabinet. Conspicuously absent in the northern contingent was any real representative of the northwestern Douglas Democracy. Cass of Michigan was a sop, satisfactory to the Little Giant, but essentially a man whom both Douglas and Jesse Bright, his hated rival for leadership in the northwestern party, could accept.

The Postmaster Generalship, and the Departments of War and Interior went to three commonplace southerners: Aaron V. Brown of Tennessee (the richest man in the cabinet), John B. Floyd of Virginia (the most inept), and Jacob Thompson of Mississippi (with the prettiest wife and the fewest scruples). The premier post in the cabinet, in terms of visibility and influence, went to Howell Cobb, a man who, in modern parlance, had "paid his dues." A longtime supporter and close personal friend of the President, Cobb eagerly accepted the Treasury



portfolio, a position which not only carried with it vast patronage but also placed the jovial Georgian at the spot closest to the throne and the ear of the monarch. Cobb, who nurtured presidential ambitions of his own, was not displeased.

Old Buck's inaugural address was as ordinary as his cabinet. Ineptly he announced his intention to serve only one term, thereby sapping his political authority before his presidency had fairly begun. Only one striking passage illuminated the dull, familiar litany of Democratic ecomiums, a passage which dealt with the Supreme Court. Men differed, said the President, as to the time when a Territory might decide on the slavery question:

This is happily a matter of little practical importance [he continued], and besides, it is a judicial question, which legitimately belongs to the Supreme Court . . . before whom it is now pending, and will, it is understood, be speedily and finally settled. To their decision, in common with all good citizens, I shall cheerfully submit, whatever this may be, though it has ever been my individual opinion that, under the Kansas-Nebraska Act, the appropriate period will be when the number of actual residents in the Territory shall justify the formation of a constitution with a view to its admission as a State.<sup>5</sup>

Buchanan's remarks, as it turned out, were a trifle disingenuous, for through correspondence with Robert C. Grier, one of the Court's justices, he was aware of what the general contours of the Court's decision would be before he spoke.

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<sup>5</sup>On Buchanan's character and cabinet, see Allan Nevins, The Emergence of Lincoln, 2 vols. (New York, 1950), I, 61-79; Nichols, Disruption of Democracy, 86-92; Elbert B. Smith, The Presidency of James Buchanan (Lawrence, Kan., 1975), 11-22; Philip Shriver Klein, President James Buchanan: A Biography (University Park, Pa., 1962), passim; Richardson, Messages and Papers of the Presidents, V, 430-36.

Two days after Buchanan's address, on 6 March 1857, the Supreme Court handed down its decision in the case of Dred Scott v Sanford. Scott was a black slave of Missouri owners. After a long and torturous process through the court system, his suit for freedom had reached the Supreme Court. The basis of Scott's claim was that for several years in the mid- and late 1830s he had been held by his army surgeon master in Illinois, a free state, and Wisconsin territory, free by virtue of the Missouri Compromise; on the basis of his residence in these places, Scott contended, he should be freed. In 1852 the Missouri Supreme Court disagreed with him, and the Supreme Court got the case on appeal in 1856.

The case before the Court presented three questions to the justices: first, was a black slave a citizen of the United States and therefore entitled to sue in federal courts? Second, did Scott's residence in Illinois and Wisconsin entitle him to freedom? And third-- a question intimately related to the second--was the Missouri Compromise restriction, which governed the Wisconsin territory, constitutional? It was the last of these questions, one fraught with political consequences of the greatest magnitude, that Congress had been dodging for years: did Congress have the power to exclude slavery from the territories? Ever since the Clayton bill in 1848 the Congress had been attempting to get a judicial answer to this question. And now, in 1857, it was rendered.

To all of the above questions, with varying degrees of agreement among the majority, the justices answered with resounding negatives. Chief Justice Roger B. Taney delivered the majority opinion, and on

all points his opinion was vigorously assailed by two northern justices, Samuel Curtis and John McLean. One northerner, Grier, joined Taney and four other southern justices in declaring that the Missouri Compromise had been unconstitutional all along.<sup>6</sup>

Stephens was in Georgia when Taney read his decision, but had he been in Washington there is little doubt he would have attempted to find room in the packed Court chamber. He was more than casually interested in the Scott case. He had followed it closely in December 1856 when it was argued for the second time before the Court. In fact, he had done more than just listen; for what Stephens wanted, what Buchanan wanted, what the entire South wanted was a clear-cut ruling (in their own favor, naturally) on the constitutional power of Congress over territorial slavery. At first it appeared that they would be disappointed. In June 1856 the Court had ignored the constitutional question and had divided four to four on the question of its jurisdiction in the Scott case. They had agreed to a request for reargument, and it was on the opening day of that argument, 15 December 1856, that Stephens wrote Linton the following:

I have been urging all the influences I could bring to bear upon the Supreme Court to get them no longer [to] postpone the case on the Mo. Restriction before them, but to decide it. . . . If they decide as I have reason to believe they will that the restriction was unconstitutional, that Congress had no power to pass it then the question, the judicial question as I think will be ended as to the power of the people in their Territorial Legislature. It will in effect

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<sup>6</sup>Nevins, *ibid.*, 90-95; Potter, *Impending Crisis*, 267-79; Vincent Hopkins, S. J., *Dred Scott's Case* (New York, 1975), 61-94, has the fullest explication of the majority and minority opinions.

be "res adjudicata"[.] The only grounds upon which that claim of power then can rest will be Genl. Cass "squatter sovereignty" doctrine, that is they possess the power not by delegation but by sovereign right--and you know my opinion of that.

Two weeks later, and still two months before the Court decided the case, Stephens was part of the throng which stuffed itself into the small courtroom in the Capitol basement to hear reargument of the case. George Ticknor Curtis, one of Scott's lawyers, delivered a speech in his client's behalf--that is, a legal justification for congressional power over territorial slavery--that even Stephens admitted to be "chaste, elegant, and forensic." But however elegant the forensics, Stephens was unconvinced by the argument. Like many another Democrat in January 1857 Stephens expected a broad ruling in the case, one which would address the Missouri Compromise question and decide it in the South's favor. Indeed, Stephens had good reason for his expectation. He was privy to at least some of the Court's thinking on the matter. "From what I hear sub rosa," he told Linton, "[the decision] will be according to my own opinions upon every point as abstract original questions. The restriction of 1820 will be held to be unconstitutional. The judges are all writing out their opinions I believe seriatim. The Chief Justice will give an elaborate one."<sup>7</sup>

Just where Stephens was getting his information (accurate, as it turned out), and what "influences" he was bringing to bear on the Court are questions impossible to answer. Robert Grier was a distant

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<sup>7</sup>AHS to LS, 15 December, 1 January 1857, Stephens Papers, MC; Rabun, "Stephens," 468; Nevins, ibid., 107-08.

relative of Stephens' mother, but Little Aleck was not particularly friendly with him. His closest friend on the Court was James M. Wayne of Savannah. Perhaps Wayne was both informant and "influence." Back in his early days in Washington Stephens had shared a mess with several of the justices, but of these only Taney and McLean remained on the bench. McLean, by now a staunch Republican, was certainly impervious to Stephen' opinions, and there is no evidence to suggest that the Georgian approached the Chief Justice on the case.

However, it is probably safe to assume that Stephens did what he could do to press his opinions upon anybody of importance who would listen. The Georgian was licensed to argue cases before the Supreme Court and had done so several times. Undoubtedly he was at least casually acquainted with all of the justices. Moreover, Little Aleck was a familiar figure in Washington, acquainted with numberless minor functionaries, clerks, and bureaucrats. Any one, or several, of these men might have provided an additional link to the Court.

Nevertheless, that Stephens' opinions on the Dred Scott case had anything more than a peripheral effect on the decision may be safely regarded as unfounded.<sup>8</sup> Without question Stephens made no secret of his desires, and it would have been completely in character for him to characterize whatever conversations he may have had with either the

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<sup>8</sup>Several historians have, without any further evidence than the two letters cited in note 7, exaggerated the extent of Stephens' influence on the decision. See, for example, Nevins, ibid., 107; Rawley, Race and Politics, 215-16, 277-78. Neither of the competent biographers of Stephens, Von Abele or Rabun, believe that Stephens' influence, if indeed he had any, amounted to much. Von Abele, Stephens, 159; Rabun, ibid., 468.

justices or with men even remotely connected with the Court as "influences." He was not in the habit of regarding his own opinion as anything but weighty and influential.

For only the second time in its history the Supreme Court of the United States had invalidated an act of Congress, and for the first time a substantial segment of the American people refused to countenance the decision. Of course there had been anger and frustration before with the Court's rulings--Worcester v Georgia had enraged the entire Cracker state, and John Marshall's famous decision in McCulloch v Maryland had been denounced by advocates of state sovereignty throughout the Union--but never before had the highest tribunal been subjected to such a torrent of abuse as now descended upon it from the North. Just about as much moral weight should be given the majority opinion, thundered Greeley's Tribune, as to "the judgment of a majority . . . congregated in any Washington bar-room." The decision, continued the Tribune, was "wicked and false," and had transformed the Constitution into "nothing better than the bulwark of inhumanity and oppression." Bryant's New York Post echoed Greeley: would the North tolerate this "disgrace?" Would she admit that the Constitution "hereafter . . . shall be the slaveholders' instead of the freemen's . . . ? Never! Never!" The abolitionists were even more frenzied, viewing the decision as yet another link in the chain forged by the Slave Power conspiracy to shackle the odious institution upon freemen. "If the people obey this decision," Henry Ward Beecher pronounced, "they disobey God." And Geritt Smith recommended hanging Taney.

The Chief Justice's neck was spared, but his decision was pilloried throughout the Republican press and in northern legislatures. New Hampshire immediately passed a law granting citizenship to all Negroes and freedom to all slaves. New York condemned the decision, and Pennsylvania's legislature declared that it had "no binding authority on a free people." The general opinion throughout a large portion of the northern press was that Taney and his four southern and one northern doughface cohort had declared slavery a national institution, and that the very existence of American liberty, so long put into question by the machinations of the Slave Power, was now positively in jeopardy.

In distinct contrast to the northern clamor was the calm that pervaded the South in the wake of the decision. The Court's rulings, after all, had long been articles of southern faith, and it was with aplomb, if not grace, that southerners accepted the Scott decision. "What was in doubt is in doubt no longer," the Savannah News stated simply. Southerners were not deaf to the northern uproar, though, and the very volume of that uproar was enough to convince them that the territorial problem was far from solved.

As to what channels the new agitations would take, southern opinion varied. The problem of territorial slavery, said the News, was one "which must be decided by the laws of climate, products, races, and the natural laws of . . . population and emigration; for Congress henceforth can have nothing to do with the subject." The Savannah editor's faith in the efficacy of mere legalisms to settle the question that had agitated the country for a decade was typically southern--and totally misplaced. The Augusta Constitutionalist had a firmer grip

on reality. Far from quieting the "demagogues" or "cur[ing] the madness of the antislavery fanatics," it said, the decision would only cause them to "continue to agitate . . . and only grow more lawless and insane." Supreme Court rulings were no barrier to such men; they simply pleaded "higher law."<sup>9</sup>

Almost overlooked in the new excitement over the Dred Scott case was the effect of the decision on Douglas' popular sovereignty doctrine. The Court had left this question in a twilight zone; it had not ruled directly on popular sovereignty. Thus, northern and southern Democrats alike could applaud the decision, all the while maintaining their inimical positions on the powers of territorial legislatures over slavery. In short, the decision had solved nothing. It had merely turned the wheel of the slavery rack another turn. The sinews of the Union could take very little more.

Court decision or no, popular sovereignty and what it meant were the most pressing issues confronting the new administration, for the seemingly endless Kansas problem greeted James Buchanan with a snagged-tooth sneer. Still with its two rival legislatures, that unhappy territory was now, however, without a federal governor. On the day of Buchanan's inaugural Geary had resigned his position--a victim of the proslavery element's unrelenting drive to achieve its ends in Kansas. Geary's tenure in office had lasted six months. He had been the strongest governor yet sent out to Kansas, and upon his arrival in

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<sup>9</sup>New York Tribune, 7 March 1857, quoted in Rabun, ibid., 470, and in Craven, Coming of Civil War, 385; New York Evening Post, quoted in Nevins, ibid., 96; Russel B. Nye, Fettered Freedom: Civil Liberties and the Slavery Controversy (Urbana, Ill., 1962), 278-80; Savannah Morning News, 19 March, 6 May 1857; Augusta Constitutionalist, 18 March 1857.



September 1856 had demonstrated his abilities by quelling the violence and restoring peace. But he had quickly run afoul of the proslavery legislature, first by demanding the removal of Chief Justice Samuel Lecompte, a proslavery partisan, and secondly by recommending to the legislature a wholesale revamping of the territory's obnoxious laws.

The legislature, meeting in Lecompton from 12 January to 14 February 1857, not only coldly ignored the governor's suggestions, but also proceeded to pass yet another outrageous statute. Hellbent on securing a slave state in Kansas and desperate to insure this before the spring migration brought another flood of freesoil settlers, the legislature rigged a bill which would achieve both of its aims. The bill provided for an election to be held in June for delegates to a constitutional convention which would meet in September. Only adult males resident in the territory before 15 March would be eligible to vote. All of the census and election machinery would remain in the hands of proslavery county officials. Worst of all, no provision was made for submission of the completed constitution to the voters for ratification.

Geary had promptly vetoed the bill--and was just as promptly overridden. A few weeks later, losing all hope of backing from Pierce, his life threatened, and his patience at an end, the governor resigned. This was where matters stood in late May when Buchanan's appointee, Robert J. Walker, arrived in Kansas to assume his duties as governor.

Walker was a politician of national stature: a Pennsylvanian who for nine years had made his home in Mississippi. A former senator of that state, and Secretary of the Treasury under Polk, he was a bantam, only five feet two inches tall--"a mere whiffet of a man,"

commented one observer--and somewhat sickly. But what he lacked in size he made up in energy and ambition. With good reason he had been reluctant to accept the appointment, but the arguments of Buchanan and several prominent Democratic senators, including Douglas, ultimately prevailed.

Well aware of the fate of his predecessors, Walker wanted to have a clear understanding of administration policy before his departure. To this end he wrote a public letter in which he stated that he, the President, and the cabinet "cordially concur . . . that the actual bona fide residents of Kansas, by a fair and regular vote, unaffected by fraud or violence, must be permitted, in adopting their State Constitution, to decide for themselves what shall be their state institutions." Moreover, both the President and Douglas approved at least parts of Walker's proposed inaugural address which reiterated this idea in very similar language and promised that Congress would "in no contingency" admit Kansas unless this condition were met.

Walker went to Kansas as an agent of Democratic policy. Simply stated, this policy was to secure the ascendancy of the Democratic party in the territory and have it admitted as a state as soon as possible. Neither Buchanan, nor Walker, nor Douglas believed that Kansas would ever be anything but a free state, but preserving the essential forms of popular sovereignty was essential. Walker's task was to insure the participation of the freesoil Democrats in the statehood process. If pro- and antislavery Democrats could be brought into harmony, the party of Jackson would easily dominate the state.

Unfortunately the new governor arrived in Kansas too late to accomplish his goal. The freesoilers positively refused to participate in the brazenly rigged electoral process, and none of Walker's blandishments (neither his courting of freesoil leaders nor his forceful inaugural) could persuade them to do otherwise. The inaugural, delivered at Lecompton, had been designed in particular to woo freesoil support. In it Walker had underscored his belief that slavery was doomed in Kansas by learned allusions to an "isothermal line" (*i. e.*, climatic law) that rendered the territory unfit for slave labor. Even were this not so, Walker pledged that Congress would refuse to admit Kansas "unless a majority of the people . . . decided this question for themselves by a direct vote on the adoption of the Constitution." He would see to it that the elections were fairly conducted, a process that the President and cabinet had approved.<sup>10</sup>

Neither Walker nor Buchanan could have anticipated the ear-splitting squall of protest that greeted these remarks in the South. Walker had "delivered Kansas into the hands of the abolitionists," roared the Richmond South, a sentiment echoed in thousands of variations in hundreds of papers from New Orleans to Charleston.

In Georgia this new clamor arose on the eve of the gubernatorial and congressional elections, and, of course, the Americans (as the Know Nothings now styled themselves) milked the issue for all it was worth.

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<sup>10</sup>Potter, Impending Crisis, 297-302; Nichols, Disruption of Democracy, 106-08, 111-12; Rawley, Race and Politics, 205; Nevins, ibid., 134-39, 144-54; Shriver, Buchanan, 290.

But the Walker address also deepened the fissures in Georgia's Democracy. Anti-Cobbites seeking to sap the Secretary's strength in the state party, Southern Rights men, and inveterate Buchanan-haters all joined in the chorus of vilification.

Administration supporters like Stephens and Toombs were thus caught in a sudden and powerful squeeze. "Was there ever such folly as this Walker has been playing in Kansas," fumed a frustrated and angry Toombs. "Everything was quiet, going on smoothly . . . when he puts in & . . . raises the devil all over the South." Even worse, observed Toombs, the administration from all indications seemed disposed to sustain him. What so angered Toombs was not the idea of submitting the constitution to the people, but the fact that Walker had even presumed to advise the Kansans, "much less his arrogant & insolent threat that unless they carried out his will in the business Congress ought not & would not admit the state." To Toombs and thousands of other southerners, who only several months before had been content to allow Pierce to intervene in Kansas affairs with federal troops, Walker's pronouncements were "a direct government interference" not to be tolerated under any circumstances. Walker, Toombs concluded, should be recalled immediately.<sup>11</sup>

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<sup>11</sup>Richmond South, quoted in George F. Milton, The Eve of Conflict: Stephen A. Douglas and the Needless War (Boston, 1934), 266; Nevins, ibid., 165-67; Montgomery, Cracker Parties, 190; Robert Toombs to W. W. Burwell, 11 July 1857, Toombs Papers, LC. L. Q. C. Lamar reported the same sentiments prevailing in Mississippi. The people there, he said, were not opposed to Walker because of the question of submitting the constitution to the voters, but rather for Walker's threat to make it a sine qua non for admission, his saying that it would have no binding authority on the voters without submission. It was also a matter of pride and honor. "Was there any law authorizing the people of California to form their constitution? Are we of the

Once again Georgia Democrats found themselves compelled to come up to the mark, to defend southern rights against this latest outrage. None of them, including Stephens, approved Walker's address, but considerable difference of opinion existed on how best to handle the problem. Little Aleck, maintaining for the moment a studied silence, received opinions from all sides. Martin Crawford, a delegate to the upcoming Democratic convention, favored a resolution denouncing Walker and "perhaps call[ing] back the Administration to a proper appreciation of what neutrality is." Party survival depended on it. "Walker's address has hurt us very much indeed, and we are bound to pull the sting out of its tail or suffer more." A "pretty general" resolution, Crawford thought, would serve the purpose. Stephens' friend Thomas was in a lather. "We are betrayed," he wailed, for behind Walker he detected Buchanan's malevolent hand. "Before God I will never say well done to the traitor or to his master who lives in the White House. . . . it strikes me you can never approve the administration in this Kansas business."

Thomas was not the only one concerned about Stephens' intentions. Secretary Cobb, whose whole political future depended upon unity in the state party, was naturally dismayed by the outburst in Georgia and acutely aware that Little Aleck's influence was indispensable. Consequently, in the weeks before the convention, he too was plying Stephens

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South to be made to see California hurried into the Union against all law and precedent because she is a free state and Kansas subjected to the rigors of the inquisition because she has a chance of being a slave state? . . . It is a great error to think that this feeling is confined to a few. It pervades the whole mass of the Democracy here." L. Q. C. Lamar to Howell Cobb, 17 July 1857, TSC Corr., 405.

with letters, doing his best to defend the administration and cast Walker's intentions in the most favorable light. Cobb's editorial allies were doing the same.<sup>12</sup>

The administration's supporters, however, were in for a rough time. Georgia Democrats convened on 24 June, and the havoc wrought by Walker on the party was immediately apparent. The convention promptly adopted a series of five platform resolutions. The first of these praised Buchanan, but the balance went on to excoriate Walker and demand his recall. Stephens stayed at home during the convention, but he was present in spirit. For Linton was there--and it was Linton Stephens who had drafted the critical anti-Walker resolution. Clearly the Stephens brothers had ignored Cobb's plea.

They also ignored Cobb's candidate, John H. Lumpkin, Stephens' old congressional crony of the 1840s. No less than five candidates were vying for the gubernatorial nomination, four of whom represented various shades of Southern Rights, anti-Cobb, or anti-administration sentiment. The most prominent of these was James Gardner, former editor of the Constitutionalist and once Stephens' bitter enemy. But it was Gardner whom Little Aleck favored and for whom Linton voted. None of the candidates was able to secure a majority, however, and after twenty ballots the convention appointed a committee to select a compromise candidate.

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<sup>12</sup>Martin J. Crawford to AHS, 19 June 1857, Stephens Papers, LC; Thomas W. Thomas to id., 15 June 1857, TSC Corr., 400-01; Simpson, Cobb, 118; Howell Cobb to AHS, 17, 18 June 1857, TSC Corr., 402-03; Milledgeville Federal Union, 23 June, 7 July 1857.

Linton Stephens, who was a member of this committee, now performed what was probably the most momentous act of his political career. The committee met and balloted, but before the votes were counted Linton moved the nomination of Joseph E. Brown by acclamation. This idea found favor with the committee, and with the fragmented convention too. It nominated the unknown Brown unanimously. Thus Brown was launched on a career that was to put him at the pinnacle of Georgia politics for the next thirty-five years. It was characteristic of him that even at the very onset of his career he should benefit from an important political connection. Having the support of the Stephens brothers--one of whom, Alex, he had never even met--was no mean achievement for a north Georgia lawyer whose nomination for the state's highest office struck thousands of Georgians just the way it struck Bob Toombs. "Who the devil is Joe Brown?" he exclaimed.

Toombs and Stephens (who met Brown during the campaign and liked him immediately) along with the rest of Georgia were soon to find out who Brown was. At the time of his nomination Joe Brown, thirty-seven years old, was serving as judge of the Superior Court of the Blue Ridge circuit. Few people outside of the north Georgia mountains and hollows had ever heard of the man. In not too many more years a lot of these Georgians would be wishing they had never heard of him.

Born in South Carolina, the eldest of eleven children, Brown had moved with his family to Union county, Georgia, while still a youngster. There he had worked the farm with his father until the age of nineteen. Even at this tender age Brown evinced a penchant for

shrewd business: he managed to attain three year's schooling in South Carolina academies, the bulk of it on credit. Like Stephens, he taught for a while, read law, and then, in 1845, on money advanced by a patron, he attended Yale Law School for a year and was graduated in 1846. He had already passed the Georgia bar, and upon his return to Canton, Georgia, his sound legal training and diligent application to his profession began to pay him substantial rewards almost immediately.

Brown's first venture into politics was a successful Democratic candidate for the state Senate in 1849. It was here that he had met Linton Stephens. The two men were poles apart then, though, for Brown was an outspoken Southern Rights man and the chief proponent of the Nashville convention movement in the Senate. Brown had next served as presidential elector for Pierce in 1852 and was elected to the Superior Court bench in 1855.<sup>13</sup>

Tall and thin, his oval face and high forehead framed by an odd-looking set of short chin whiskers and a thinning page-boyish haircut, his mouth a wide, tight-lipped slash across an otherwise unremarkable face, Brown looked like what he was: a man of determined eccentricity, utterly devoid of humor. Brown took three things seriously: his Baptist religion, his business dealings, and his own political survival. He neither drank, nor smoked, nor chewed, nor swore; and he was just as religious in excluding any principle should it threaten

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<sup>13</sup>LS to AHS, 29 June 1857, Stephens Papers, MC; Rabun, "Stephens," 474; Stovall, Toombs, 153-54; Joseph H. Parks, Joseph E. Brown of Georgia (Baton Rouge, 1977), Ch. 1, passim.



either his political or monetary fortune. Like a cat, Joe Brown always landed on his feet.

Little Aleck, at this stage as much in the dark about Brown as many others, was receiving conflicting opinions. From Linton came assurances that Brown was a superior debater, an effective stump speaker, and a self-made man of fine personal character. He was also "a firm Southern rights man, and one of the most prudent among them." Robert Burch, Stephens' old law partner, knew better. "I know a little more about Brown," he told Stephens, "than I desire to know if I am to vote for him." Not only was he lacking "open candor and untarnished character for fairness in the transactions of this life (including politics)" but he was also "a complete demagogue."

Whatever Stephens may have thought of the Democratic candidate, he certainly did not share Secretary Cobb's opinion of the Democratic convention. The course of the state party, Cobb confessed, was "inexplicable. They have lost all their good sense & seem bent on self destruction." Little Aleck, on the other hand, was delighted. Not only did he approve the Walker censure, but he was also elated that the convention had nominated Linton for the Seventh district congressional seat. He could have cared less about distress in administration circles. Linton's campaign was another matter. If there was any way he could help, he told his brother, "just let me know what when & where."<sup>14</sup>

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<sup>14</sup>LS to AHS, 29 June 1857, Stephens Papers, MC; Robert L. Burch to id., 30 June 1857, ibid., LC; Howell Cobb to his wife, 27 June 1857, Cobb Papers, UG; AHS to LS, 26 June 1857, Stephens Papers, MC.

It is important to realize how volatile the Kansas question was in Georgia. While Cobb in Washington had been privy to the cabinet discussions with Walker and was aware of the President's reservations about Walker's inaugural, the home folk knew only what they read in the papers. And from all appearances the Kansas governor had the administration's blessing. Indeed the American party, which met in early July and nominated Benjamin Hill for governor, made Walker and Buchanan's perfidy the keynote of the campaign. Under the circumstances--for many Georgia Democrats, especially the vocal southern rights wing of the party, felt the same way--it was no small feat of political juggling for the Democrats to base their campaign on simultaneous praise of the President and damnation of his appointee. Yet this is what they did, for it was the only way to preserve party unity.

But the convention and its aftermath had baleful effects on the party anyway. Cobb and his supporters had been signally rebuked, and their bitterness lingered. Hostility from the southern rights crowd could have been expected; Cobb and the ultras had never really made their peace. But for the first time since the struggle for the Compromise in 1850 he found himself seriously on the outs with Stephens. Indeed, Lumpkin was convinced that Little Aleck had drawn up the Walker resolution and that his influence over Toombs, Thomas, and Linton had denied him the gubernatorial nomination.

Lumpkin was partially correct. It was a measure of just how corrosive the defense of slavery had become to Stephens' once pristine principles of party purity that he could countenance the nomination of an avowed southern rights man over one who had stood firmly for the

Union in 1850. Attempting to soothe the angry Lumpkin, Linton had explained lamely that "justice" demanded a division of state offices between unionists and southern rights men--hence his support of Gardner and nomination of Brown. It would have been more candid, albeit less diplomatic, had Linton pointed out that, unlike Cobb, neither he nor his brother was married to the administration. In fact, Linton Stephens, as he prepared to campaign for the House, was little disposed to excuse the President for Walker's indiscretions.

For his own part, Alexander, always less combustible than Linton and far the better politician, continued to express his undiminished friendship for Cobb; and the Secretary did his utmost to assure Stephens of the President's fidelity to popular sovereignty. Cobb had good reason to continue pressing his erstwhile ally; he was receiving reports from several quarters that Stephens was on the verge of deserting the administration.<sup>15</sup>

Cobb had yet another reason to wonder what Stephens was up to. For as yet--it was mid-July--Little Aleck had not yet declared his candidacy for Congress. Even before the convention, back in the spring, the Georgia press had been rife with rumors that the sage of Crawfordville meant to retire. As spring turned into summer local Democratic meetings all over the Eighth district passed laudatory resolutions urging him to run again. Cobb added his voice to the chorus, warning Stephens

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<sup>15</sup>John H. Lumpkin to Howell Cobb, 14 July 1857, Cobb Papers, UG; LS to AHS, 4, 16 July 1857, Stephens Papers, MC; T. R. R. Cobb to Howell Cobb, 15 July 1857, TSC Corr., 404; Howell Cobb to AHS, 10 June 1857, TSC Corr., 400.

of the awful effects on the Democratic ticket that would attend his retirement. "Your place cannot be filled in the House. You know that as well as I do," he wrote. At the convention the Eighth district's delegates requested informally that Stephens be their candidate.<sup>16</sup>

Still Stephens said nothing. It is very possible that he may have seriously considered retiring. He had been in public life for over twenty years, and during that time his estate had prospered. But it might have even more had he more time to devote to it. Then too the Americans in his district had shown no signs of conversion. Indeed, their hatred for Stephens had only increased. The prospect of yet another gruelling campaign against implacable and numerous enemies could not have been inviting. Until his last term Stephens had ruled his district like a fiefdom. The task was daily becoming more difficult.

Moreover Stephens was beset by yet another of his periodic bouts of gloom. Nothing seemed to be going right: first Emma's death; and now, for the second year in a row, a drought was playing havoc with his crops. Seventy acres of corn were burning up in the fields, and it appeared that his cotton crop--he had planned on thirty bales--would be cut by eighty percent. As if one family death were not enough, his last surviving sister, Catherine, had died during the summer, and this mournful event had been made even worse by a buggy accident on the way home from the funeral. Alex had luckily escaped unhurt from the overturned carriage, but Linton had wrenched his right knee so badly that

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<sup>16</sup> Macon Telegraph, quoted in Augusta Constitutionalist, 14 May 1857, and Atlanta Examiner, quoted ibid., 2 June 1857; Rabun, "Stephens," 477-79; Howell Cobb to AHS, 10 June 1857, TSC Corr., 400.

it handicapped him throughout the campaign.

None of these things could have helped his mood, but Stephens never required anything in particular to make him melancholy. On 18 July he informed Linton that he was "low spirited, more so than I have been for years," which must have been low spirited indeed. At the end of the month he felt no better. "Never was one more corroded with those things that make life a living anguish," he wrote. "The world . . . knows no more of my mental agonies and sufferings than they do of my dreams at night. . . . I have been a poor miserable being all my life. Miserable all the time."<sup>17</sup>

Miserable he may have been, but not so much so that he could ignore the brazen assault on the principles for which he had struggled so arduously. So in a letter to his constituents, which appeared in the Constitutionalist on 18 August, Stephens announced his candidacy for Congress. The letter, a long one, was essentially a defense of the Kansas-Nebraska bill--"a measure above all other [with which] I had become identified in my public career." Despite the storms of the previous congress, the triumph of the principles of nonintervention in the election of 1856, and the upholding of those principles in the Dred Scott case, the enemies of the bill had refused to cease their agitation. Stephens could hardly quit the fight now.

"Whatever may have been my wishes for repose," he continued, ". . . I have no inclination voluntarily to quit the field of action so long as the fight lasts on this measure." He would make no new

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<sup>17</sup>AHS to LS, 18, 21, 31 July 1857, Stephens Papers, MC; Rabun, "Stephens," 477.

promises or pledges. His only platform would be to see to it that the "principles [of the bill] shall be truly and faithfully carried into effect . . . not only in Kansas but in every other Territory of the United States."

What was most interesting amidst the familiar elements of the letter, which included a scathing blast at the Georgia Americans, a review of the Kansas bill's history, and a glorification of the South-- "Not only the Northern States but most of the nations of Europe are fast becoming dependent upon her," he asserted--was Stephens' interpretation of the Walker affair. In his view the Kansas governor had "violated the plain letter and meaning of the Kansas bill." By arguing "against the possibility of slavery ever going there" he had attempted "to influence the public mind against its introduction." And he had committed an even "grosser violation of principle" by prescribing how the state constitution should be formed and by declaring that Congress ought not and would not admit the state unless its constitution be submitted to the voters. It was the people's province to decide such questions; Congress had no right to inquire into the matter. Congress' duty was simply to insure that the constitution came from legally constituted authorities and was republican in form.

Ever eloquent when launched into a discourse on principles, Stephens went on: "The question is one which involves our whole federative system," one that "strikes at the foundation of our government and . . . involves everything recognized as State Rights and State Sovereignty." This was the question likely to come before the next Congress, and this was why he was running again. It would have been

impolitic had Stephens mentioned that the great question also involved matters of less magnitude perhaps (at least in comparison to the foundation of the government), but of considerably more immediacy. Like the fate of the Georgia Democratic party, for example.

Stephens did make the proper bows in Buchanan's direction. For all of his blustering against Walker, he was careful to excuse the administration. Of course if the administration sided with Walker, then "he and they will share the same fate." But not for a moment did he believe this would happen. Indeed, no previous administration had "ever . . . so fully met my cordial approval." He was not going to condemn Buchanan without a hearing, but he would hold him responsible for the consequences of retaining the Kansas governor. For the present, though, "this is no time for those devoted to . . . principle to abandon their organization, either State or national."

If Stephens was to steer a middle course--and in spite of the way this letter sounded that is what he was attempting to do--he had to condemn Walker. Unfortunately he also had to toss logic to the winds, for he was raking the governor for saying things in Kansas that he himself had said on the floor of the House not eight months past. Even as he professed his undying devotion to "principle" Stephens was blind to his own inconsistencies. Paradoxically, a consistent defense of southern rights, particularly for a moderate, demanded a certain malleability in one's "principles," which Stephens, even as he practiced it, would have categorically denied. The middle ground was tilting. It was a process that had been going on for a long time, but now the angle was getting steep. The solid ground lay in only one direction--

towards Calhounism and its adherents, men whose principles were as fixed as granite.

Thus Stephens' position earned him enmity from both sides of the political spectrum. On the one hand, nothing he said could have pleased the Americans and the fire-eating Democrats, for they demanded both Walker and Buchanan's heads. On the other hand, Cobb's friends, whose principles, at least for the present, required unstinting support of the administration, remained suspicious. Little Aleck and Toombs, wrote one Cobbite, were "preparing to break with the Administration." As for Stephens' arguments, they were nothing but "the veriest affectation." "I am in hopes that the tone of feeling in the Democratic party will improve," he continued, "but you do not know how grossly it has been perverted."<sup>18</sup>

Cobb did not have to be told how "perverted" his party had become. All of the news he was receiving this summer was bad. Extremists throughout the South were rampant; Cobb's best friends were under severe attack; Georgia's Democratic candidate for governor was condemning Walker as vigorously as Ben Hill was; and Little Aleck, his brother, and Toombs were doing the same. Patiently the Secretary attempted to explain to Stephens that Walker, according to his firsthand information, "is fully sustained by our friends in Kansas," and that neither the President nor the cabinet had approved

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<sup>18</sup>AHS to the Voters of the Eighth Congressional District, 14 August 1857, TSC Corr., 409-20; William H. Stiles to Howell Cobb, 26 August 1857, Cobb-Erwin-Lamar Papers, UG.



the inaugural. All of which may have been true--but Cobb was not running for office that summer in Georgia.

Actually the Georgia Democracy was in no danger. After some initial difficulties on the stump, which with Toombs' help were soon overcome, Joe Brown proved to be an adroit campaigner, at the very least a match for Ben Hill. Stephens confined his activities to his own district, with a few forays into the Seventh to do what he could for Linton. Linton needed the help, despite the fact that Alex was facing his roughest campaign ever. Once in the race Stephens had to canvass vigorously. His opponent was a lawyer and former mayor of Augusta, Thomas J. Miller, an able man and an energetic enemy. And the Chronicle, once so staunch in its defense of Stephens, was now almost daily delivering withering attacks upon him. Had not Stephens used much the same arguments as Walker in his House speech in January? it asked. And what had the administration ever done, aside from dispatching the odious Walker to Kansas, to merit his "cordial approval?"

Any man with a record as long as Stephens' was bound to be vulnerable, and the American press concentrated its fire on every weak spot it could find--on his missing of roll call votes (615 times in the last two sessions), on his support of the Kansas-Nebraska act, and finally on his lack of legislative achievement and his insufferable vanity. "Apart from Mr. Stephens own bragging, what has he ever done for the country?" sneered the Chronicle. "He has been a party skirmisher rather than a statesman. . . . With a person to elicit sympathy, he has so attuned his notes as to play upon . . . public attention

and keep himself personally in the foreground of the picture, whatever might become of his cause of his associates."<sup>19</sup>

After suffering such slings throughout the campaign Stephens understandably commented at its end: "I am tolerably well but nearly worn out." And when the votes were counted, Little Aleck, by the standards of previous elections, had done only tolerably well at the polls. He defeated Miller 5,151 votes to 3,890 votes, or 54.6 percent of the vote. His margin of victory was a personal low, but he still managed to poll some 400-odd votes better than Brown in the Eighth district. Joe Brown had won the governorship with 56,067 votes to Hill's 46,295. The popular Hill, running under the banner of a near defunct party, had done well. But the Americans could take only cold comfort from it. Their opponents had won in six of the eight congressional districts and had also captured substantial majorities in the state Assembly. One of the few Democrats who had lost was Linton Stephens, defeated by less than 300 votes out of a total of over 9,000. Evidently the presence of one Stephens in Congress was all the Americans could tolerate.

The state's victorious Democracy lost no time in consolidating its hold on the state. The first order of business a few weeks after Brown's victory was the election of a U. S. senator. It took the legislature only one ballot to reelect Bob Toombs, 167 votes to 74

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<sup>19</sup>James Jackson to Howell Cobb, 27 August 1857, ibid.; George S. Houston to id., 23 August 1857, Cobb Papers, UG; Howell Cobb to AHS, 12, 19 September 1857, TSC Corr., 422-24; Parks, Brown, 32-35; Augusta Chronicle and Sentinel, 11 July, 4, 10, 23, 30 September 1857.

votes, over Judge Eli Baxter, the American candidate.

Several days later the Democrats assembled in Milledgeville for their usual post-election convention. Both Stephens and Toombs attended and played prominent roles in the proceedings, the latter addressing the convention on 6 November and the former for an hour and a half four days later. There was little in Stephens' speech to distinguish it from the many he had delivered during the campaign. He was silent on Buchanan, loud in his denunciation of Walker, and profuse in his praise of the Democratic party. He did, however, considerably moderate his scorn for the Americans, urging them to "bury the hatchet and come up and let the South be a unit . . . an unbroken front to the enemies of the Union and the constitutional rights of the South."<sup>20</sup> Everyone applauded; no one seemed to notice the irony, except perhaps the shade of Calhoun. Only seven short years before Stephens had fiercely denounced the men who advocated this very thing as "enemies of the Union."

Stephens had yet another important part to play. He was appointed chairman of the committee on resolutions, in effect charged with declaring the party's position on national issues. "At all events," Cobb had warned frantically several days before, "save us from the fatal blunder of committing the democracy of Ga. against the submission of the constitution of Kansas to the people." Stephens heeded Cobb's advice this time, but his resolutions (which the convention adopted

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<sup>20</sup>AHS to LS, 2 October 1857, Stephens Papers, MC; Milledgeville Federal Union, 20 October 1857; Montgomery, Cracker Parties, 202-03; AHS speech in Augusta Chronicle and Sentinel, 14 November 1857.

unanimously) committed the Democracy to his own constitutional position, the one he had staked out in his August letter, a position leaving precious little room for maneuver. First of all, the convention demanded Walker's recall. Further resolutions went on to declare that Congress had no power whatever either to inquire into a territory's proposed state constitution or into the method of its adoption. Congress was limited insofar as such a constitution was concerned to insuring that the document met three conditions: that it was republican in form, that it legally expressed the majority's will, and that the requirements of territorial law had been met with in its adoption. Only "a strict and rigid adherence to these principles," the party concluded, could preserve "the peace and safety of the Union as well as the rights of the South."<sup>21</sup>

Georgia's Democrats were not ignorant of what had been going on in Kansas. Disregarding Governor Walker's advice, the Kansas freestaters had boycotted the election for the constitutional convention in June with the result that only about 2,200 of the territory's 9,250 registered

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<sup>21</sup>Howell Cobb to AHS, 2 November 1857, Stephens Papers, DU; Milledgeville Southern Recorder, 17 November 1857. Stephens' activities in Milledgeville did not meet with the favor of all Democrats. The ever-suspicious Tom Cobb reported to his brother that, although he had not been at the convention, "I am sure from all I heard that Stephens is pushing the Douglas line--against you--more than half his speech there, was in praise of Douglas I learn. I can never hear of one word said in your praise. . . . I have confidence in Toombs if Stephens will let him alone. I do not think Stephens dislikes you personally but he cannot bear your elevation above him. . . . I felt it as a duty to give you this repeated warning." T. R. R. Cobb to Howell Cobb, 11 December 1857, Cobb-Erwin-Lamar Papers, UG.

voters cast their ballots. To no one's surprise the proslavery faction completely controlled the convention thus elected. This soon-to-be infamous body duly assembled at Lecompton in September and then adjourned to await the results in yet another of Kansas' seemingly endless elections. The October election proved to be a turning point in the territory's short, grim history. For this time, strongly encouraged by the governor and protected by troops at many polling places, the freestaters participated. At stake were seats in the legislature, various county offices, and the post of territorial delegate to Congress.

The freestaters elected the territorial delegate by a two-to-one margin; the contest for the legislature appeared to be close, however. Close, that is, until investigation of the returns revealed enormous frauds. In one instance 1,601 names were tallied for the proslavery candidates straight out of the pages of an old Cincinnati city directory. This was too much for Walker. Ignoring the law, for technically election frauds were a judicial matter, he threw out the spurious returns and certified the election of Kansas' first free-soil legislature since it became a territory.

The Lecompton constitutional convention now reassembled on 19 October and proceeded to draw up a constitution guaranteeing the rights of slaveholders to their property. It was patently obvious now that any proslavery constitution would be rejected by a fair vote of the territorial residents. And yet the convention was under severe pressure from several quarters to submit its work to the people for ratification. Although severely piqued at Walker and initially disposed

to submit the constitution directly to Congress, a majority of the convention delegates realized that some sort of popular ratification would be essential to supply at least a patina of legitimacy to their handiwork.

The Kansas proslaveryites had never lacked ingenuity, nor did they now. Rather than submit the entire constitution to the voters, the convention left to the people of Kansas a choice between "the constitution with slavery" or "the constitution without slavery." In any event the two hundred or so slaves already in the territory would remain. The choice being offered was a referendum on slavery's future. Voting for either proposition approved the whole constitution, a document that contained several other very questionable provisions in addition to the slavery clause. Moreover, the control over the balloting for "ratification" (which the convention scheduled for 21 December 1857) had been placed not in the governor's hands, but in those whom the convention itself designated. Walker was astounded, and he spoke for thousands in the North when he exclaimed that the Lecompton submission plan was nothing but "vile fraud, a base counterfeit, and [a] wretched device to keep the people from voting."

Almost immediately Walker left for Washington to lay the matter before Buchanan. Obviously the President faced a fearsome choice. And it made no difference whatever how he decided. The wages of Lecompton were political death. On the one hand, to accept the Lecompton constitution was to bestow his blessing on a rancid piece of political trickery. In a territory with over 24,000 eligible for the

franchise, a mere eight percent of the white male voters had drawn up a document which offered the overwhelmingly freesoil majority of Kansas a choice between strychnine and cyanide. Lecompton was the grossest perversion of popular sovereignty that the Kansas slaveholders had yet devised. And hundreds of thousands of northerners--the Republicans to a man and a substantial portion of an outraged Democracy--were having none of it.

On the other hand, to reject Lecompton was not only to spurn the work of a perfectly legal convention, a body whose legality the President had more than once defended, but also to court political disaster of unprecedented proportions for the Democratic party. For the southern Democrats were solidly behind Lecompton, and the slave state contingent encompassed fully two-thirds of the party, and all of the President's closest friends too. Furthermore, if one were inclined to rationalize, there were several other arguments in Lecompton's favor: Technically it fulfilled the President's pledges to Walker and the Cincinnati platform plank by offering the voters a choice on slavery. The document itself was legal. And finally, a swift admission of Kansas would end the interminable territorial hassle. Once a state Kansas could do as she pleased about her organic law and no one, North or South, would care.<sup>22</sup>

Old Buck wasted little time in making up his mind. He moved promptly and firmly to support the Lecompton formula. And in the

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<sup>22</sup>Nichols, Disruption of Democracy, 125-33; Walker quoted in Rabun, "Stephens," 487; Potter, Impending Crisis, 311-17; Klein, Buchanan, 303-06.

process he destroyed his party beyond all hope of redemption. What was farce in Kansas would be tragedy in Washington.



## CHAPTER XIV

### "THE FRAUD WAS GLARING": LECOMPTON AND ITS AFTERMATH

The rumblings of the approaching tempest were already audible when Congressman Stephens arrived back in Washington on 29 November. Stephens immediately conferred with Cobb, and what he heard was disquieting. Several days earlier the President, in an angry confrontation, had broken with Walker, and with one of his oldest Pennsylvania allies too, John W. Forney. The Forney news was bad enough, but even worse were persistent rumors that Douglas, en route to the capital, opposed Lecompton. Stephens simply could not believe this, but he did notice uneasily that all of the Illinois Democrats were maintaining a studied silence. Stephens was already anticipating trouble. "If we can get [Lecompton] through Congress," he told Linton, "it will be a great triumph of a great principle." It is difficult to imagine what "principle" Stephens was referring to. The "triumph" was the important thing. Indeed, it is hard to avoid the conclusion that in Stephens' mind the two had become one and the same.

Stephen A. Douglas had principles too--and incidentally a political career to protect among the northwestern Democrats--and his came into direct conflict with his party's official policy. Even before he had had a chance to read the Lecompton constitution Douglas was telling his friend McClernand that "we must stand firmly by the principle of the Kansas . . . act." From what he had seen so far in

the paper it appeared that "trickery & juggling have been substituted for fair dealing." If true, said the Little Giant, this left "but one course to pursue, and that is vindicate the principle . . . and the Cincinnati platform by refering [sic] the whole matter back to the people." Having a chance to read the documents and confer with Walker did not change Douglas' mind. Like the President, he did not hesitate. He could not sanction Lecompton, he later said, without "repudiating all the acts of my life, and doing a political act that I did not believe was moral and just."<sup>1</sup>

And he told the President the same thing at a meeting between the two the day after Douglas' arrival in Washington. Already suspicious because of several presidential snubs and irritated that Buchanan had released the Kansas portion of his forthcoming message without consulting him, Douglas had come to the conclusion that Old Buck was bent on destroying him. The meeting only confirmed his views. Their exchange was heated, their positions irreconcilable, and the break that now ensued between them complete. The administration had gained a most resourceful and pugnacious enemy.

Perhaps no man in Washington was as anxious to find out where Douglas stood as Stephens, and within a day of the White House confrontation, Little Aleck had twice met with the Illinois senator. Dejectedly, but without rancor, Stephens told Linton: "He is against us, decidedly,

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<sup>1</sup>AHS to LS, 29 November, 1, 2 December 1857, Stephens Papers, MC; id. to James Thomas, 1 December 1857, fragment in ibid., LC; Stephen A. Douglas to John McClermand, 23 November 1857, in Robert W. Johannsen, ed., The Letters of Stephen A. Douglas (Urbana, Ill., 1961), 403-04; Johannsen, Douglas, 582-84.

but not extravagantly. He puts his opposition upon the grounds that the Kansas constitution is not fairly presented. . . . His course I fear will do us great harm. . . . There is no foreseeing the result now."

What Stephens had been hoping for was "harmony and concert . . . on the line of policy before us." What he was about to begin was his most taxing and trying session of Congress ever. He might have spared himself a multitude of headaches had he accepted the party's nomination for Speaker of the House. Throughout the summer and fall there had been a strong movement in the South in Stephens' favor, and friends like Toombs had urged him to accept the post. Why he did not can only be conjectured. Perhaps he feared an undue strain on his health, but more likely, with a protracted battle looming up in the House, he valued his freedom to speak as he pleased more than the dubious honor of presiding over what promised to be almost an unruly mob. The Democratic caucus therefore nominated James Orr of South Carolina for Speaker, and once elected Orr appointed Stephens chairman of the most important committee in the House, Territories.<sup>2</sup>

The concert which had characterized the Democratic caucus was deceptive; the vote which elected Orr was the last vestige of a unanimity the party would not possess for many years. In mere numbers the Democrats had healthy majorities in both houses of Congress. They held 128 seats in the House against the Republicans' 92, and the

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<sup>2</sup>AHS to LS, 4, 2 December 1857, Stephens Papers, MC; Robert Toombs to W. M. Burwell, William M. Burwell Papers, LC; *id.* to AHS, 18 November 1857, Stephens, Recollections, 50; Rabun, "Stephens," 489.

Americans' 14. They were even stronger in the Senate: 37 Democrats, 25 Republicans, 5 Americans. But two-thirds of the Senate Democrats and 75 in the House were southerners--and all of these men were infected with the Lecompton virus. Unfortunately for the party the disease would prove fatal.

Congress received Buchanan's first annual message on 8 December. As expected, the President strongly endorsed the work of the Lecompton convention, contending that the principles of the Kansas-Nebraska act had been fully complied with. As soon as Kansas should be admitted, he said, the excitement would all pass away. The President also offered the territory's citizens a pointed piece of advice: if any of them spurned this opportunity to vote and decide the slavery issue fairly they alone would be "responsible for the consequences."

On the very same day that this message reached Congress those voters were heeding instead the advice of Fredrick Stanton, serving as acting governor of Kansas in Walker's absence--advice for which Stanton would lose his job. Stanton convened the new legislature, now controlled by the freestaters, and persuaded it to pass a law submitting the entire Lecompton constitution to the voters along with the two alternatives offered by the convention. The freestaters immediately passed such a bill, scheduling the election for 4 January 1858.

Events of crucial importance now occurred at a rapid pace: On 9 December, to the horror of southern Democrats and the amazement of Republicans, Stephen A. Douglas blasted the President's message in a brilliant speech from the Senate floor. He did not care, the Little Giant thundered, whether the slavery clause was "voted up or

voted down," but the method of its submission was a "mockery and an insult," and he would fight it to the last. On the fifteenth Governor Walker resigned his office. On the twenty-first, in an election boycotted by the freestaters and replete with the usual frauds, 6,226 Kansas voters approved the Lecompton constitution "with slavery," 529 voted for it "without slavery." Then on 4 January, Kansans voted again, this time in the election called by the legislature and boycotted by the proslavery men. A total of 10,226 voters rejected the Lecompton constitution outright, 138 voted for it "with slavery," 24 for it without.<sup>3</sup> Popular sovereignty, it was clear, had declared Kansas free--popular sovereignty, that is, as its Illinois champion defined it.

As if the nerves of southerners were not in a jangled enough state already, another event occurred even before the Lecompton fight started to frazzle them further. Down in Nicaragua a U. S. Navy commodore, Hiram Paulding, landed marines and arrested William Walker, a notorious filibusterer and self-proclaimed "President" of that country. Walker, who had been ousted from control of the country in 1857, was on his way with another of his armed expeditions to seize power again.

Stephens, along with the rest of the South, was incensed, particularly since the administration backed Paulding. Walker, a reckless adventurer, was the darling of the slave South because he had portrayed Nicaragua as a future slave state and when in power had revoked its antislavery statutes. As an important issue Walker's

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<sup>3</sup>Richardson, Messages and Papers of the Presidents, V, 449-54; Cong. Globe, 35th Cong., 1st sess., 17-18; Potter, Impending Crisis, 318.

arrest hardly rates more than a footnote in this story, but the incident is an excellent illustration of how the slavery issue had become entangled with virtually everything that came up in Congress. In the House Thomas Clingman of North Carolina demanded explanations from the President, and John A. Quitman of Mississippi called for a revision of the neutrality laws. And Stephens was in the forefront of those supporting these moves. He who had once denounced filibustering as a "lawless outrage" now denounced the arrest of Walker as a "great outrage unjustified by law." No less than four times during January Little Aleck spoke in the House, castigating American naval officers and demanding Walker's release. He was careful, however, to refrain from criticizing the President and Secretary of the Navy Toucey. As he explained to Linton:

We do [not] agree with the Administration on this Central American question. And yet if we denounce it as we feel it deserves to be we [endanger] their support of us in view of the Kansas [question]. This we fear[.] The strength of that question in the North lies in its being an Administration measure. But if we of the South oppose the Admin. on one question it affords a pretext for men of the North to oppose it on another and yet be good party men.

The President's explanation of the Walker matter did not suit Stephens either. Paulding had committed a serious error, said Buchanan in a message to the Senate, by landing marines without Nicaragua's permission, but Walker's conduct was even worse, for he had violated sacred "principles of Christianity, morality, and humanity" recognized by all civilized nations.

"I am utterly opposed to most of the policy as far as I can perceive it of the present Administration," Stephens wrote Linton

shortly after Buchanan's message. "The reason of their line of policy and opposition to Walker was their hostility to his enterprise because if successful he would introduce African slavery there. . . . It is the object of this Govmmt in conjunction with the British to prevēnt any colony or state arising in Central America on the basis or status of the Southern States."<sup>4</sup> And this from a moderate, a man supposedly more concerned with "principles" than with slavery's expansion.

Stephens might be forgiven some of his irritation; he was under severe pressure. Each day's mail from Georgia confirmed that his closest confederates in politics distrusted, and in some cases despised, James Buchanan. Nothing short of an immediate dismissal and complete repudiation of Governor Walker seven months ago would have satisfied these men. Now, even as the President supported the Lecompton constitution, they held him responsible for all of the renewed strife. Even so level-headed a man as Hershel Johnson found little to praise in the President's December message. "I can agree with him in nothing but in the propriety of admitting Kansas under the Lecompton Constitution," he said. And only if the voters ratified the slavery clause, Johnson continued; if they did not, "I believe we have a perfect right to take advantage of the situation and send it back as a rebuke to the administration."

Far from excoriating Douglas for his opposition to Lecompton, some Georgia Democrats recognized his consistency. Thomas W. Thomas was one:

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<sup>4</sup>Rabun, "Stephens," 491-94; Richardson, ibid., 468-69; AHS to LS, 3, 20 January 1858, Stephens Papers, MC.

We are apparently on the same side with Buchanan as against Douglas, but it is only an appearance. We do not agree with him at all in principle--indeed the position of Douglas is more reasonable and consistent. Buchanan has bullied and bribed the jury--if we get the verdict notwithstanding, we have a right to hold the benefits--if it is against us we have the right to repudiate it.<sup>5</sup>

Thomas had written these words before the December referendum on the Lecompton constitution in Kansas. The results of that election had changed his opinion of the President not one iota. He was convinced that the southern Democrats had been far too easy on Old Buck, and he attempted to get the Georgia Senate to pass resolutions of censure against the President. The resolutions were promptly tabled. Thomas loathed Buchanan, and was almost consumed by his hatred. Most Georgians (including Stephens), although they may have shared his suspicions, realized that if they were to get Kansas they must have the President as an ally. Not Thomas. He did not blame Douglas for "looking to his interest at home," he said, "when southern men persisted in shouting hosannas . . . after the man whom we had trusted and who had betrayed us."

Stephens held no grudge against Douglas either, but was considerably troubled by his defection. For it was Little Aleck, as chairman of the Committee on the Territories, who would be responsible for forging an administration majority in the House, an outcome that now appeared very unlikely. The real battle for Lecompton was about to begin, and Stephens knew that it would be fierce.

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<sup>5</sup>Hershel Johnson to AHS, 24 December 1857, Hershel Johnson Papers, DU; Thomas W. Thomas to id., 25 December 1857, Stephens Papers, EU.



The President sent in his message recommending the admission of Kansas under Lecompton on 2 February. At his request Stephens had gone to the White House and read the message over beforehand. The version Congress heard incorporated three changes that Stephens had suggested. A fourth, which Buchanan declined to accept, would have deleted the President's assertion that by the Kansas bill the slavery question had to be submitted to the voters. This view, according to Stephens, was "a grave error." But this was the only error that Stephens could find. The President appeared feeble and careworn, Stephens noticed, but the strain of the job had not impaired his thinking. "He really means to do right," Stephens told Linton. "What he needs most is wise and prudent consellers [sic]."

Little Aleck was correct about the counsellors. The trouble was that Buchanan was ignoring the wise and prudent advice he was getting. Twenty-six of the fifty-three northern Democrats in the House were opposed to Lecompton and had formed their own caucus under the chairmanship of Thomas L. Harris, a close ally of Douglas. Leaders of this group called on the President and futilely attempted to convince him that Lecompton could not pass, that he should heed the true voice of the Kansas people. Buchanan was adamant. He was committed. "Kansas is . . . at this moment just as much a slave state as Georgia or South Carolina," said his message.<sup>6</sup>

The closeness of the impending House struggle became apparent immediately after the message was read. The opposition planned to combat

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<sup>6</sup>Ibid., 12, 21 January 1858; AHS to LS, 3 February 1857, ibid., MC; Nichols, Disruption of Democracy, 162-63; Richardson, Messages and Papers of the Presidents, V, 481.

Lecompton the same way they had fought the Kansas case the year before, by referring the matter to a special investigating committee, a move that not only would bottle up any legislation indefinitely, but also would provide reams of evidence for the bill's opponents to take before the people. Normally the President's message would have been referred to Stephens' Committee on the Territories, but on 2 February the administration received its first setback. Stephens' motion to refer the message to his committee and then his motion to adjourn were both lost, 109 to 105. Harris' motion to refer it to a special committee was held over. The omens were ominous.

For the moment Stephens chose not to read them. He was not a man who wielded authority gracefully. A nervous, touchy individual, contemptuous of most of mankind most of the time, Stephens spent a good deal of this session bemoaning the weaknesses of his southern congressional colleagues. Three southern congressmen had been absent from their seats during these vital votes. Such "inattention and culpable negligence" Stephens found intolerable. Many of Stephens' colleagues no doubt found Little Aleck intolerable. "Members are afraid of him," said one. "They submit to him their measures and if he does not approve them, it is no use to argue, he will oppose. If he approves and consents to take charge of a bill you have to let him take his own course--he will not take any suggestions." Stephens had few peers when it came to plotting parliamentary strategy. Throughout the Lecompton struggle he would recognize none.

In Stephens' defense, though, the task of cramming Lecompton

through the House in early 1858 was one that would have tried the patience of men far closer to sainthood than he was. The situation was volatile, and when the President's message next came up, on Friday 5 February, the House exploded. For almost twelve hours, from 3:30 in the afternoon until past 2:00 a. m. the next morning Stephens had been attempting to get a vote for adjournment. Harris' motion to establish an investigating committee had been called on the previous question, and there were not enough administration men on the floor to defeat it. Even at that late hour men were ready to fight. And fight they did. The spark that set it off was a pair of traded insults between Republican Galusha Grow, who had wandered over to the Democratic side of the aisle, and Carolinian Laurence Keitt, who interrupted his catnapping long enough to tell Grow to get back on his side of the House. One retort led to another; Keitt lunged for Grow's throat, and that signalled the start of a general melee.

At least fifty of the people's servants joined in, oblivious all to Orr's loud cries for order, to James B. Clay's drunken shouts of "Gentlemen, remember where you are!" and to the Sergeant-at-Arm's flailing mace. Viewing the ruckus from his front row seat, Stephens was in a perfect position to witness one of the strangest sights of the night. Out of the mass of grunting, punching humanity there suddenly emerged, airborne, a dark furry object--Mississippi congressman William Barksdale's toupee--with its embarrassed and enraged owner in hot pursuit. In his haste to replace his errant scalp, which in the meanwhile was being trampled under foot, Barksdale put the wig on wrong side out.

This absurd sight was enough to break up the fight, and the legislators.

But the laughter hardly obscured the intensity of feeling on both sides. "Such a row you never saw," Stephens reported. Although no one was injured, "bad feeling was produced by it. . . . And if any weapons had been present it would probably have been . . . bloody." Stephens was beginning to have more than an inkling of what it all meant. "All things here are tending to bring my mind to the conclusion that this Govmt. can not or will not last long."<sup>7</sup>

It took two more bitter days of bickering and wrangling before the President's message was disposed of. On 8 February by a vote of 114-113 the House refused to send it to Stephens' committee, and on the next day the anti-Lecompton forces succeeded in establishing Harris' committee of investigation, by a vote of 115-111. It began to look as if the Lecompton constitution would never get out of committee. But James Orr was the Speaker, and he packed the fifteen-man committee with eight Lecompton men. Harris and Stephens occupied the number one and two spots. Without much ado the committee voted, 8 to 7, against conducting a protracted investigation and sending to Kansas for evidence. The administration, at least for the present, had matters precariously in hand.

It was a good thing it did, at least from several Georgians' viewpoint. Thomas W. Thomas was still raging about Buchanan--"Nothing short of seeing the Holy Ghost descending on Old Buck in the form of

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<sup>7</sup>AHS to LS, 3, 5 February 1858, Stephens Papers, MC; L. F. Grover to Asahel Bush, 5 March 1859, quoted in Von Abele, Stephens, 168; Nichols, ibid., 164-65.

a dove patent to my eyesight could ever make me trust him again"--and Governor Brown was hinting ominously that if Kansas were rejected he would call a state convention to "determine the status of Georgia with reference to the Union." Linton Stephens too had worked himself into a positive frenzy over the Kansas issue:

If Kansas . . . is refused admission I am for dissolution. I would not acknowledge allegiance to a government which sets upon me and my section a brand of sin and infamy and degradation. . . . We scarcely know the Union now except through its burthens, and I am not willing to pocket its insults. . . . The true issue is--and Congress ought to be held to it-- . . . whether a State with slavery is fit to be admitted to the Union.

I say if the South submits to the rejection of Kansas she is craven and deserves her fate. . . . If Kansas is rejected, our government becomes a poor democracy, the only law is that of superior numbers, the only power is that of an irresponsible mob, and that mob hostile to us. We have got to fight it, or deter it, or succumb to it.<sup>8</sup>

Brother Alex studiously refused to notice Linton's outburst, and it was not until several weeks later, and only then at Linton's prodding, that he even deigned to reply at all. And the reply was but a cryptic lament: "Indeed I am sorry and distressed to see from your letters that you allow yourself to be made so unhappy about it. It is not worth the troubles. Fame is a poor thing, a miserable po[or] thing, patriotism is a poor thing. All the things of this world are poor beggarly elements--ashes and emptiness."

This mood of despair alternated throughout February and March

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<sup>8</sup>Cong. Globe, 35th Cong., 1st sess., 621-23; Thomas W. Thomas to AHS, 7 February 1858, Stephens Papers, EU; Joseph E. Brown to id., 9 February 1858, TSC Corr., 431; LS to AHS, 9 February 1858, Stephens Papers, MC.

with another--in which "patriotism" (as Stephens defined it) was uppermost in his mind, anything but a "poor beggarly element." On 19 February, after about a week of being laid up in his room ill with "something like rheumatism," Stephens told Linton that sometimes he had "a strong impulse to resign my seat. The strife, vexation, wear and tear of public life here is nothing but a useless sacrifice of ones self for nought and nought only."

A week and a half later his sickness in both body and spirit remained. His arms and his elbows hurt; he was "overwhelmed" with hard work; he had not time for recreation; he wished that he had never run for Congress. Nothing in Washington interested him, and "to mix with men daily who have no patriotism but their own selfish objects . . . is disgusting to me." Even politics was no longer giving him any pleasure. Once Kansas was brought in, he vowed, he was finished with it. What he wanted was "quiet retirement and uninterrupted solitude." All this lamentation stemmed directly from the Lecompton struggle. It seems clear that by this time, although he did not for a moment give up the fight, Stephens had become convinced that Lecompton would fail. "We have so many fools," he sighed resignedly, "and from the South too, that there is no counting upon what will be done. If the South did have the right sort of men here there would not be the least difficulty whatever. . . . But patriotism is deficient in the country, statesmanship is deficient, public virtue is gone--or at least those qualities are fast dying out."<sup>9</sup>

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<sup>9</sup>AHS to LS, 29 March, 14, 19, 28 February 1858, ibid.

The unpatriotic southern fools Stephens complained of were, in the main, Know Nothings--although he did not excuse drunken Democratic fools too besotted to find their seats either. Throughout the struggle, one in which every vote counted, Stephens constantly had to contend with southern allies in the clutches of Demon Rum. And he found this situation disgraceful and incomprehensible. But far worse was the nebulous position of the southern Americans, who, though small in numbers, held the balance of power in such a close fight as this one. As yet they had shown no disposition whatever to rally behind Lecompton en masse, and now they would vote was a question that plagued Stephens continually.

On 3 March the special Kansas committee by a vote of 8 to 7 accepted Stephens' report endorsing the Lecompton constitution. To allow the minority time to report, Stephens consented to a few day's delay before presenting his own to the House. But a week later when Stephens announced that he was ready to report, John Sherman, a Republican, objected, and Stephens was stifled by the House rules.

Under these rules, unless unanimous consent was given, reports of special committees had to be delayed until all of the standing committees of the House reported. Faced with a two- to three-month delay, Stephens had the report printed himself, and it appeared in the Washington Union on 11 March 1858. There was nothing particularly striking about it. To arguments that he had advanced in the recent campaign he added those that the President had used in his two messages. The report defended Lecompton on legalistic grounds: under the Kansas-Nebraska act the people could form their constitution "in their own way." Whether or not certain citizens refused to participate in the

convention's election was immaterial, as was the question of whether the convention decided to submit the constitution to the people for ratification. Upon receipt of a proposed constitution Congress was limited solely to an examination of its form, not its content nor its mode of adoption. Nor did the January vote of the territory's freesoilers have any "material bearing upon the events of this enquiry."

While Stephens was content to ignore the views of the Kansas majority, he thought that disregarding the opinion of the South would be dangerous. "A large number of States would look upon her rejection . . . with extreme sensitiveness," he said. There was a northern party bent solely on preventing the admission of any new slave state, and the South knew this. "Will not her rejection tend to weaken the bonds which hold the States together?"

Stephens was not unmindful of the rising anger in Georgia. Governor Brown had written again that he would not hesitate to call a state convention if Kansas were rejected. Little's Aleck's plea for the safety of the Union, then, was doubtless sincere. Many southerners were righteously indignant at this latest slight to their honor, convinced that Kansas was being rejected only because she recognized slavery. But no matter how strong this sentiment, Stephens, even as he wrote his report, was likewise aware that it was not universally shared at home. "If our public and leading men differ," wrote one perplexed Georgian, ". . . it cannot be expected that the people at home will be united." Stephens himself, in fact, was unsure what he would do if Lecompton failed.<sup>10</sup>

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<sup>10</sup>Rabun, "Stephens," 499-502; Joseph E. Brown to AHS, 18



The rich ironies of the situation escaped him. While he was genuinely concerned for the safety of the Union, he persisted in fighting for the very thing that most endangered it. Moreover, he remained completely oblivious to the fact that what he demanded of his fellow southerners--unity in the face of the northern enemy--was the very thing he had refused to Calhoun in the crisis of 1849-50. Now, as they had then, political differences among southerners were a much more potent force for division than the outside threat was for fusion.

What had changed in the eight years since Calhoun's death was the number of southerners (among them Stephens) who perceived such a threat--the total was growing daily--and decided that the old Carolinian's dream of southern unity offered the only hope for survival. The southern Know Nothings remained outside of this growing consensus and its vehicle, the southern Democracy, thus earning the scorn and bitter hatred of their domestic political opponents. Meanwhile, the central paradox of southern politics had changed not at all: while each party championed southern rights and urged solidarity in the face of the enemy, each insisted that the battle be fought only upon its own terms, thus insuring that divisions among southerners would remain. Indeed, the only unifying force among southerners in 1858 was paranoia, and even this was a matter of degree.

Little Aleck's pleas for the safety of the Union had, of course, no effect whatever on the congressional northerners, long inured to such southern plays. On the same day that Stephens' report appeared

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February 1858, Stephens Papers, EU; H. Fielder to id., 24 February 1858, ibid., LC; AHS to LS, 3 April 1858, ibid., MC.

in the Union, Harris, as a matter of personal privilege, charged on the floor of the House that the special investigating committee had failed to follow its instructions, that it had failed to investigate Lecompton properly. Stephens was instantly on his feet. This charge by a minority member of the committee, was presumptuous, he spat. All Harris wanted was to delay the majority's report indefinitely. This exchange was the prelude to two days of heated debate. Speaker Orr had overruled Harris' question of privilege and had been overruled in turn by the House, 112 votes to 97 votes. The question was merely procedural, but it presaged the division on the main issue. Some southern Americans, to Stephens' disgust, voted with the Republicans. Even worse, twenty-two Lecompton Democrats, thirteen of them southerners (some completely immobilized by whiskey) had not been in their seats. Such laxity was enough to send Stephens into a fit of helpless hand-wringing. "Alas for my country," he wrote Linton, "--for the South. What is to become of her! . . . how shamefully she is represented." The South was going to lose this battle herself:

I am depressed almost overwhelmed with mortification to think that the deed will be done by our own people. . . . I see no bright prospects for the South. If we should seporate [sic] what is to become of us in the hands of such Representatives! Have we any future but miserable petty squabbles, parties, factions and fragments led on by contemptible drunken demagogues! . . . all I fear is about to be blasted.

Stephens was still agonizing the next day. On another close vote--again with southern Know Nothings against them and a few southern Democrats so inebriated that they were held off the floor until time to slobber their "yea" or "nay"--the Lecompton forces lost the vote on

Harris' motion preventing reception of Stephens' report. "Oh my country my country my own native Georgia. . . . What is to become of you?" Little Aleck lamented.<sup>11</sup>

There was nothing for the Lecompton men to do now but await the passage of the bill in the Senate. The upper House had been debating the bill since mid-February. On 17 March Senator Crittenden of Kentucky, the most revered of the southern Americans in Congress, delivered a powerful speech denouncing the Lecompton constitution and suggesting that it be resubmitted to the voters. Crittenden's statesmanship earned him nothing but execration in Georgia, and according to Toombs, who was temporarily at home on business, even the Know Nothings were ashamed and indignant.

If Bob Toombs was on speaking terms with three Know Nothings in the entire state it would have been plenty. His observation was fanciful, for it certainly was not borne out in Washington. If Stephens had any lingering doubts that the Americans would join with the Democrats, he now lost them. He was convinced, he told Linton, that the Lecompton bill would be lost. The southern Americans would vote with the enemy to refer the bill to the special committee of fifteen where it could be bottled up almost permanently. He told Governor Brown the same. It made no difference how Kansas were rejected, the governor replied; he would be forced to call a convention of the state. Not a few Georgians agreed with him. "Is there any more use," one of Stephens constituents wrote, "in trying to live with the infernal

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<sup>11</sup>Cong. Globe, 35th Cong., 1st sess., 1075; AHS to LS, 11, 12 March 1858.

freesoilers?" "I trust that our Southern representatives will leave in a body when Kansas is rejected." With such advice arriving daily, it was no wonder that Stephens confessed himself "on the verge of that deep dark and gloomy abiss [sic]" of despair.<sup>12</sup>

Results in the Senate were predictable. The upper house rejected Crittenden's compromise bill sending the constitution back to the voters of Kansas, and by a vote of 33 to 25 on 23 March approved the admission of Kansas under Lecompton. The day before, Douglas, who was paying dearly for his apostasy by having the heads of his political allies lopped off in patronage posts throughout the North, delivered a dramatic speech against the "void, rejected, repudiated" constitution. "If, standing firmly by my principles, I shall be driven into private life, it is a fate that has no terrors for me," he said gamely. Such a fate had enough terrors for other northern Democrats, however, that only three joined the Little Giant in voting with the Republicans and Americans against the bill.

The House now dawdled a week before taking the bill up. Twice during that time Stephens attempted to get the House to set a date for voting on the measure. Eventually he announced that he would move on 1 April to take up the bill for a vote. In the meantime he was doing the best he could to keep Democrats in their seats and win back the deserters. He stressed the importance of both themes, party harmony

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<sup>12</sup>James Sharp to John J. Crittenden, 2 April 1858, Crittenden Papers, LC; Robert Toombs to AHS, 28 March 1858, TSC Corr., 433; Joseph E. Brown to AHS, 26 March 1858, ibid., 432-33; AHS to LS, 17, 19 March 1858, Stephens Papers, MC; M. C. Fulton to AHS, 30 March 1858, ibid., LC.

and attention to duty, at the Democratic caucus on 27 March. Echoing the administration's Union, which was also scolding the laggards, Stephens urged the Democrats to attend all sessions and stay there. Republicans were winning votes, he said, simply because they kept their troops on the field.

Stephens got his wish on the first. Only a single congressman, a Missourian, was absent, but after all the excitement of the preceding weeks the vote itself was an anticlimax. Lecompton got beat; the House by a vote of 120 to 112 accepted an amendment to the measure (very similar to Crittenden's and in effect a substitute bill) that had been proposed by a Pennsylvania Democrat. Ninety-two Republicans, 22 Democrats, and 6 Americans (all southerners) comprised the majority. Only 8 Americans had joined with the 104 Democrats in voting to defeat the amendment.

Stephens was resigned, and not very hopeful that anything could be done. Even the firmest of northerners, he told Linton, were beginning to resent having to fight both the Republicans and the southern Know Nothings. Nevertheless Stephens refused to give up. Fearful of defeat but still professing hope for some sort of success, he continued working "day and night" to effect it. But in short order the two houses of Congress reached an impasse. The Senate refused to concur with the House substitute and sent the bill back. The House refused to recede, and the Senate once again rejected the amendment, this time asking for a conference. By the narrowest of margins on 14 April, Speaker Orr's vote breaking a 108 to 108 tie, the House agreed to confer. The administration, to save itself from utter humiliation, had been forced to use

every means of suasion at its disposal simply to shake loose enough anti-Lecomptonites in its own party for even this paltry victory.<sup>13</sup>

Stephens now had his chance to try to salvage as much as he could out of the mess. As the administration floor leader in the House, Orr appointed him, along with Republican William A. Howard of Michigan and Douglasite William H. English of Indiana, to the conference committee. Serving for the Senate were Seward, Hunter of Virginia, and James Green of Missouri. Passing Lecompton was, of course, out of the question, but trying to save a shred of face for the administration was to be no easy task either. Fortunately for Buchanan, he had the best man in Congress working on the problem.

Even before the deadlock occurred Stephens had foreseen it and shrewdly sized up the opposition. English, an ambitious man, had shown himself amenable to both flattery and persuasion. Little Aleck therefore took him in tow and kept him there through the two anxious weeks that followed before the saving formula passed. The strain was beginning to tell on Stephens. He fell ill, and twice the conferees postponed meeting because of his absence. In the meantime, however, he had devised the plan that would bear English's name.

What the English bill did in effect was resubmit Lecompton to the Kansas voters, but instead of coupling admission with slavery it focused on the size of the land grant the new state would receive. If the Kansas voters accepted the normal land grant (about 4 million acres

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<sup>13</sup>Cong. Globe, 35th Cong., 1st sess., Appendix, 194-201; Rabun, "Stephens," 503; AHS to LS, 2, 3, 7 April 1858, Stephens Papers, MC; id. to G. F. Burton, 5 April 1858, ibid., DU; Nevins, Emergence, II, 297.

instead of the 23.5 million the authors of Lecompton requested), she would be admitted; if they refused, the territory must wait until her population entitled her to one congressional representative, approximately 90,000. Rejection of Lecompton would thus delay Kansas' admission for two years or more. The bill, like many another desperation maneuver, was ingenious. With the resubmission question buried under the acreage, Senate diehards could be mollified. On the other hand, since Lecompton was in fact being offered to the Kansans in toto for approval or rejection, enough anti-Lecomptonites could be brought around to support it.

This was eventually what happened, but not without difficulty. The conference report, signed by the committee's four Democrats, was submitted on Friday, 23 April. Before affixing his signature Stephens had sounded out the proposal with every important southern leader in the Congress, including Senator Jefferson Davis, whose sickroom he had to visit. In the House, however, the bill ran into immediate trouble. Joshua Hill, one of Georgia's two American representatives, moved to delay its consideration for two weeks, and on a test vote the administration came up three votes short, losing 108-105. This setback called for yet another weekend of frantic cajolery and patronage-promising. The persuasion succeeded. On Monday the House set Wednesday as the day to begin consideration of the English bill.

"I am exceedingly harassed," Stephens complained to Linton, "but am as patient as Job. Never did man work harder or effect more by his exertions than I have in this matter. The whole labour has been on myself." Hyperbole aside, Stephens was correct, but he realized

"that all may be for nought . . . we may ultimately fail." Energetic as he was, Stephens was obviously tired of the whole wretched business. Only once did he speak in favor of the bill, and then but briefly.

On 30 April the administration finally succeeded in passing its bill. The vote in the House was 112 to 103; in the Senate, 31 to 22. Douglas, not without some wavering, voted against it. Buchanan signed the bill on 3 May. In the House nine of the twenty-two anti-Lecompton Democrats voted with the administration. It was no secret how the votes were obtained. "The progress of this business has been damnable corrupt," said Douglas' man Thomas Harris. "The Adm. has bought men like hogs in the market. It was impossible to cope with the money & patronage of the government." Stephens put the best face on the shabby "victory" that he could. He hoped, he said, that the vote on the proposition would split the freesoil forces in Kansas, but even if it were rejected slavery in Kansas would be assured for a few more years under the Dred Scott decision.<sup>14</sup>

It had finally come down to this admission. For the sake of slavery's existence for only a few more years (and that in a territory he knew to be unsuited for it), Stephens had stretched his vaunted "principles" to the vanishing point. He who had once been no defender of slavery in the abstract had become so blind to reality as to suppose that the existence of the few slaves in Kansas really made any difference.

The truly sad thing about Stephens' support of the Lecompton constitution was that even later, when the issue had long since been

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<sup>14</sup>Nichols, Disruption of Democracy, 172-81; AHS to LS, 26 April, 1 May 1858, Stephens Papers, MC; Johannsen, Douglas, 611-13.



overshadowed by the imminent approach of civil war, he could not admit that he had been wrong. It was May 1860, and Stephens was reminiscing with his friend Dick Johnston:

[Douglas] knew, as we all did, that the Lecompton constitution was procured by fraud. I supported it, not because it was fairly obtained, but because it was right when obtained. The fraud was glaring. I feel when looking back at it, like the sons of Noah when they saw their father naked--I wished it might be covered up from the world. Douglas would not support it. I thought it ought to be, and think so yet, because it gave us only what were entitled to under the Kansas act.

Stephens' construction of the Kansas act is bizarre, to say the least, but at least there is an aura of remorse (and not a little shame) in this statement. Stephens' rigid Presbyterian conscience could not let him forget that he had supported a dishonest, morally repulsive, political instrument. Only because the election which "ratified" Lecompton had been strictly legal, and only because his perception of right and wrong had been so skewed by the intensity of the sectional conflict--"the election was legal, and the result gave to the South only what was just and right," he told Johnston in 1862--had his conscience allowed him any rest at all.

And for this reason he really could not blame Stephen A. Douglas for opposing Lecompton. Stephens may have submerged his own standards of honesty during the Lecompton struggle, but he did not lose his respect for men who refused to do likewise. Democrats, that is. (Republicans, of course, were dishonest hypocrites by definition.) Throughout the bitter fight, as bitter as any during the antebellum years, not one word of bitterness or recrimination against Douglas did he utter. Unlike the crisis of 1850, which he had regarded as truly

a matter of life and death, Stephens approached the Lecompton matter with almost a detached air, as a political struggle to be lost or won with political weapons, however sharp they might be.

Stephens understood Douglas. Indeed, once the issue was joined, he had anticipated the Little Giant's tenacity (and, incidentally, had won a bet with Secretary Cobb on it.) Douglas had been willing to make an issue of the election that had ratified Lecompton; the administration was not willing, Stephens came to believe--as did Douglas himself--because it meant to ruin the Little Giant in the North. It was because Stephens so well understood what political struggles were, because he recognized that Douglas' was a life-or-death struggle of his own, because, in short, Stephens' sectionalism was not uncompromising and had always been tempered by wisdom and moderation that he deprecated the war Cobb and Buchanan were waging on Douglas and advised against it. It was the administration, after all, that had been responsible for assuring the voters of Kansas that their constitution would be submitted to them for ratification, assurances that Stephens believed it "had not right to give." Stephens had dutifully fought the administration's battle and extracted what gain he could for it, but deep down he had never ceased to hold Buchanan responsible for the whole debacle.

Stephens' interpretation of the events of the past year, especially his views on Douglas, were, to say the least, unusual among southern Democrats, most of whom loathed the Little Giant as the rankest sort of traitor. "We propose to take his political life," vowed the Columbus Times with consummate savagery, "dissecting the body, and dividing the good from the evil . . . the good . . . we will bury

with great honcr and eclat. . . . The evil including his present heresies and low demagoguism [sic], we will hang on the gibbet, where the vultures of the air, and the wild beasts of the forest, may devour it."<sup>15</sup> Douglas had paid a stiff price for his integrity--but the Democratic party had paid an even higher one.

The passage of the English bill finally removed the Kansas issue from Congress (in August the Kansans rejected the constitution by a margin of six to one), but Lecompton was the beginning of the end for the Democracy. Not only had the issue brought thousands of new converts into the Republican party and spurred the resolute fire-eaters in the South, but it had also split the last remaining national party beyond hope of repair. These results were not immediately apparent, however. Orthodox Democrats basked in their victory. At the White House signing ceremony, Toombs spoke glowingly of the "bright and brilliant future" and the "peace and harmony and prosperity" the Democracy had won. Stephens, the architect of the victory, also came in for his share of praise. The Washington Union dilated on his "higher qualities of statesmanship" and his "faithful devotion . . . to a great principle." Hope Hull thought the English bill "the most brilliant idea I ever heard of in politics." Tom Thomas thought it was "inspired." Linton would have preferred that Congress decide the "naked issue," but liked the English bill "a good deal better" than the original Senate measure, "since I have come to understand both."

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<sup>15</sup>Johnston, Autobiography, 151; Johnston and Browne, Stephens, 428; Columbus Times, 13 March 1858, quoted in Irons, "The Secession Movement in Georgia," 217.

Governor Brown could scarcely contain his relief. Writing to congratulate Stephens and express his "great gratification" at the bill's success, he went on to say how "truly glad we are rid of this vexed question." Brown had reason to be glad. "Had not the bill passed," he observed in a classic understatement, "there would have been great confusion in Georgia."

As it was, not everyone in Georgia was pleased with the bill. The American press, which had spent most of the winter raking the southern Democracy and in some cases even finding flattering things to say about Douglas, was universal in its condemnation. The gist of their opinion was that the South had been once again betrayed "by her own recreant sons," among whom Alexander H. Stephens occupied a prominent place.<sup>16</sup>

"I want to go home soon," Stephens wrote on 1 May. "I am worn out." He was not soon to get his wish. Several matters that had been held up by the Kansas business now occupied the attention of Congress. The first of these was a bill for the admission of Minnesota. The Senate had passed it on 7 April, and for four weeks Stephens had been endeavoring to get the House to take it up. He spoke only once in favor of the bill, on 11 May the day the House finally passed it. A clause in Minnesota's constitution allowing alien suffrage had been the object of attacks from both Know Nothings and some Republicans.

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<sup>16</sup>Milledgeville Southern Recorder, 2 November 1858; Washington Union, 4 May 1858, quoted in Rabun, "Stephens," 508; Wm. H. Hull to Howell Cobb, 30 May 1858, Cobb-Erwin-Lamar Papers, UG; LS to AHS, 9 May 1858, Stephens Papers, MC; Joseph E. Brown to id., 7 May 1858, TSC Corr., 434; Augusta Chronicle and Sentinel, 5 May 1858.

With admirable consistency Stephens argued that Congress had no right to inquire into any facet of a state's constitution other than to assure that it was republican in form and expressed the will of the majority. Stephens had done his homework for this short speech, quoting debates of the framers and various historical statistics on alien suffrage.

This matter satisfactorily disposed of--Minnesota was admitted--the representatives turned their attention to settling a disputed Ohio election between Lewis Campbell, Stephens' old opponent in the "blackberry and crabgrass war" of 1855, and Clement L. Vallandigham, who was destined to achieve a modicum of fame in the next few years for his defense of personal liberties in wartime. No doubt his unbending views in such matters (not to mention the fact that he was a Democrat) helped to draw Stephens to him. At any rate the two became lifelong friends. Little Aleck took a "deep interest" in the outcome of this dispute, and when it was finally settled (in Vallandigham's favor), another matter, this time in foreign affairs, came up to delay his departure yet again.<sup>17</sup>

If there were anything to make Americans forget their blood feuds, it was being insulted by a foreign power, and in the spring of 1858 the British government delivered more than a mild insult. Her warships in the Caribbean and Gulf of Mexico began stopping all ships suspected of engaging in the slave trade. On more than one occasion shots were fired across the bows of American ships. When news of these attacks reached the capital a sudden burst of bipartisan zeal for

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<sup>17</sup>AHS to LS, 1, 14, 25 May, Stephens Papers, MC; speech in Cleveland, Stephens, 580-91.

American honor startled onlookers more accustomed to seeing Americans fighting each other. In the Senate Seward, Toombs, and Douglas all thundered for redress.

Stephens, "deeply outraged" by the attacks, immediately rushed to the White House with Toombs to see Buchanan. There the Georgians urged the President to send a naval squadron to bring in the offenders, or, in Stephens' words, "sink her ships if necessary and explain . . . afterwards." Old Buck, not unaccustomed to dealing with the British, remained cool. He lacked the power to act, he explained, and besides, Britain must be given time to make explanations. The incensed Georgians were not interested in diplomacy; they stayed until almost midnight arguing. Buchanan would not give. Nor would he hear of the idea of a special message on the subject.

The little tempest in the Gulf soon blew over. Buchanan, his belligerent counsellors notwithstanding, was firm enough. He ordered the navy to protect American ships in Caribbean waters, and instructed the minister at the Court of St. James to lodge a strong protest. In early July the British accepted the American principles, and the visits and searches on the high seas ended.

The whole affair left Stephens more suspicious of the President than ever; Buchanan's policy "sickened" him, he said. He strongly suspected the administration of winking "at these visitations to prevent the carrying on the slave trade." Stephens' sensitivity about slavery was typical, but this was not what "sickened" him. That Buchanan refused to seize "the most fortunate thing that could have happened to unite the heart of the entire people" against a foreign foe he found

incomprehensible. Without administration backing Stephens gave up his idea of beating the war drums in Congress. "Northern honor and southern principles were united," he told Linton. "Such an event might not happen again in a lifetime. But he did not see it."<sup>18</sup>

Little Aleck was not seeing so well himself these days. For some time his eyesight had been troubling him, so before he left Washington he laid out ten dollars for a pair of gold rimmed spectacles, his first pair. They may have improved his vision, but they hardly did the same for his mood. "Thus life passes away," he wrote Linton. "Wrinkles in the face, gray hairs on the head, and dimmed vision in the eyes. In a few more years, loss of teeth, bending shoulders, and trembling limbs will close the scene."

Such cheery observations were nothing unusual for Stephens, but for the past few months he had been in a particularly foul mood. The last day of 1857 he had spent "looking back on the misfortunes and miseries of the past and throwing forward reflections on the future." What he had seen of the future since then could hardly have encouraged a brighter outlook. He was ill, tired, disgusted with politics, and ready to quit. More than once during this session he had said so.

Perhaps, then, it was his general discontent that prompted him to travel during the break between sessions, and he hoped, too, that a trip would improve his health. With the Kansas issue "settled" and his mind almost made up not to seek reelection (and hence no reason to stay close to the political pulse at home) the time seemed propitious

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<sup>18</sup>AHS to LS, 28, 31 May, 10 June 1858, Stephens Papers, MC; Johannsen, Douglas, 619-20; Rabun, "Stephens," 510-13.

for touring a section of the country he had never seen, the Northwest.

Besides, he had business to attend to. Back in the early spring while he himself was having his portrait painted by George P. A. Healy, a famous artist, he made arrangements to have Linton's and his late wife's done too. Healy, however, was a busy man and could not fit Linton into his schedule until the summer--in Chicago.

Alex and Linton left Georgia on 20 July and made their leisurely way up to Cincinnati, taking in the sights at Lookout Mountain, Chattanooga, Nashville, and Louisville. It was utterly impossible that a man of Stephens' reputation could pass unnoticed through any part of the country, much less Illinois where a senatorial campaign of national interest was in progress. About the time the brothers began their trip, Republican Abraham Lincoln had challenged Douglas to a series of joint debates. The campaign was one of extraordinary interest, not only because Douglas was involved, but also because in addition to fending off the surging Republicans, the Little Giant had to cope with the administration, which was ruthlessly using all the patronage and pressure it could wield to purge him from the party. For Douglas, as was his way, had continued denouncing the English bill. Naturally reporters wanted to know whom Little Aleck favored in the race. And in Cincinnati, he told them. Not only did he favor Douglas, it was duly reported, but he regarded the administration's war on him as "wickedly foolish."<sup>19</sup>

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<sup>19</sup>AHS to LS, 11 June 1858, 31 December 1857, 20 May 1858, Stephens Papers, MC; id. to Wm. Hidell, 23 June, 19 July 1858, ibid., PHS; undated note in AHS' hand, ibid., LC; Savannah Morning News, 13 August 1858.



Even as he made his way north newspapers from all over the country had been feverishly speculating as to the purpose of Stephens' trip. Some thought he went as an agent of the administration to patch up the quarrel, others as an agent of Cobb's presidential ambitions. Still others speculated that Stephens himself was seeking the 1860 nomination and wanted Douglas as a running mate, and there were rumors also that he was allied with Douglas against the administration, or that he simply wanted to help the Little Giant defeat Lincoln.

When word of Stephens' Cincinnati remarks reached the South they aroused a storm of controversy. At first neither Democratic nor American editors could believe it. Shortly, however, most of the Democratic papers in Georgia, with the most conspicuous exception being the Constitutionalist, raked Stephens as if he had been in league with Moloch himself. Douglas was anathema to orthodox southern Democrats; with one voice they prayed for his defeat. The idea that the South should turn its back on the administration "merely to save an ambitious and reckless politician . . . from political oblivion" was "monstrous," said the Federal Union. "It would be just as reasonable," echoed the Mobile Register, "to lay down our arms and surrender to the Black Republicans as to abstain from making war upon Mr. Douglas . . . who stand[s] opposed to us on ground as . . . hostile as that occupied by the Black Republicans."<sup>20</sup>

Stephens was merely the most prominent, but hardly the only

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<sup>20</sup>J. Henley Smith to AHS, 3 August 1858, Stephens Papers, LC; Savannah Morning News, 13 August 1858; Milledgeville Southern Recorder, 24 August 1858; Milledgeville Federal Union, 7 September 1858; Mobile Register, quoted in Savannah Morning News, 22 July 1858.

Democrat in Georgia who saw little sense in attacking Douglas, who, they recognized, had only done what was necessary to save his political life. Such men tended to be philosophical about the events of the past few months. "We have made all out of niggers thats to be made," said Martin Crawford, "there's nothing left." Kansas, he continued, had been "a great investment." "It paid handsome dividends to all the Southern stockholders, the Charter has expired however and all the debts due to . . . it are extinguished." The Lecompton fraud still bothered the consciences of some. "Who doubts, that knows Mr. Douglas," wrote Augustus Wright, "if the whole action of Kansas had been regular and legal, and free from fraud, that he would have voted for her admission." All of Douglas' friends in Georgia believed that he was "sound on niggers," and few were blind to Cobb's presidential aspirations --nor to the fact that it was Cobb's papers which were handling Stephens so roughly.<sup>21</sup>

With not quite impeccable logic many newspapers, and not just southern ones, concluded that Stephens too was angling for the 1860 nomination. So thought the Charleston Mercury, for example, and the New York Times. None of this talk particularly pleased Stephens upon his return to the state. After a pleasant trip by way of Mammoth Cave and steamboat to Memphis, he arrived home to discover that his "non-political" trip and frank expression of opinion were the prime topics in the daily press. He did not "care a button" for all of the "ill-

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<sup>21</sup>Martin J. Crawford to AHS, 8 September 1858, Stephens Papers, LC; Augustus R. Wright to C. P. Culver, 23 August 1858, in Milledgeville Southern Recorder, 7 September 1858; J. Henley Smith to AHS, 3 August 1858, Stephens Papers, LC; "Southern Rights" to the Savannah Morning News, 26 August 1858.

grounded surmises and unjust suspicions," he told Dick Johnston.

"Politics had nothing in the world to do with my travels. . . . I was, in reality, running away from politics." He had expressed his opinion when asked, nothing more--and he had been misquoted. He had not said the war on Douglas was "wickedly foolish," but rather "unwise and impolitic." "This is my deliberate judgment," he concluded, "and it is perfectly immaterial with me who approves it and who disapproves it."

This last remark was no doubt true, but the trip had not been entirely free of politics. While in Chicago, for example, Stephens had found time to confer with James Sheahan, the editor of Douglas' chief organ, the Chicago Times. And he had written Cobb remonstrating against the administration's war on the Little Giant. "I cannot agree with you about Douglas," Cobb responded. "Don't allow your kind feelings and past confidence in him to deceive you in this matter. The Democratic party and the South have nothing to hope for in his success." (By Cobb's lights the party and the South both sustained a severe blow when Douglas, after a hard fight, defeated Lincoln for the Senate seat.)

Stephens and Cobb had finally reached a parting of the ways, a split that presaged Little Aleck's estrangement from the bulk of the state party. That estrangement was already becoming apparent. Cobb's partisans simply could not credit Stephens' disavowals of presidential ambitions. Seeing his name bruited about as an aspirant for the presidency, said Stephens in a public letter, mortified and annoyed him almost as much as seeing it printed "in a list of suspected horse thieves" would have.<sup>22</sup>

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<sup>22</sup>Charleston Mercury, 17 August 1858, quoted in Rabun, "Stephens,"

Whether the administration's friends in Georgia credited this disclaimer--and most did not--the fact remained that Little Aleck was defending Douglas. This in itself was unforgivable apostasy, and several of Cobb's newspapers began to mutter ominously about the number of ex-Whigs in the party disposed to show "leniency" towards Douglas. It was not questioning the "fidelity" of these men, the Milledgeville Federal Union silkily explained, but simply warning them against "error." The Cassville Standard preferred the straightforward approach: "The Democratic party of Georgia is too much under the lead of men who were but recently whigs, and the sooner we 'rightabout face,' the better it will be for the good of the party. They are giving the Democracy trouble, and the sooner their places are filled by 'Simon Pure' Democrats, the better it will be for us."

The trouble was that the "Simon Pures" were but one element in a bloated party. The Opposition (as what was left of the American party now came to be known) was a smaller group and could be considerably more coherent. Its editors took delight in harping on the Democrats' divisions. He wanted to be enlightened, said the editor of the Recorder:

Have you got Whig-Democratic elements, Pure Democratic elements, Buchanan Democratic elements, Third Resolution-Anti-Buchanan Democratic elements, Stephens-English bill elements, Douglas-Democratic elements, Anti-Douglas Democratic elements?

Had any Democrat troubled to answer, he would have been forced to admit that his party probably contained all of these, and about the

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518; New York Times, 24 August 1858; AHS to R. M. Johnston, 3 September 1858, in Johnston and Browne, Stephens, 338; Rabun, ibid., 516; Howell Cobb to AHS, 8 September 1858, TSC Corr., 442; Augusta Constitutionalist, 26 August 1858.

only thing he could say with certainty was that the pro-Douglas faction was in the minority, the anti-Douglasites most numerous. Governor Brown's position at the moment was obscure, but he seemed to be leaning in Cobb's direction.<sup>23</sup> Obviously the Georgia Democracy was in for troubled times.

Stephens was troubled, too, grievously troubled as he made his way back to Washington for the last of his antebellum sessions of Congress. Linton and Rio, and a crowd of well-wishers had seen him off at the Crawfordville station. He thought it might be the last time he ever saw any of them, and he was sad. Presentiments of death accompanied him to Augusta; so strong were they that he wrote a long letter to Linton, enclosing a list of notes owed him, and instructing him "to do the best thing you can for Harry and his family" in the event of his death. Harry was Stephens' favorite slave, "the only person in my employ that I can trust and rely on fully." Indeed, he thought more of Harry "than the great majority of white men" with whom he had had to deal.

Stephens' opinions of his fellow men were probably reinforced upon his arrival back at the capital. One of his first duties was a courtesy call on the President. Buchanan was taciturn, Stephens noticed. "I suppose he has an idea that I am against him because I am not against Douglas' reelection to the Senate." Or perhaps he

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<sup>23</sup>Milledgeville Federal Union, 5, 19 October 1858, Cassville Standard, quoted in Milledgeville Southern Recorder, 12 October 1858; ibid., 26 October 1858; T. R. R. Cobb to Howell Cobb, 13 November 1858, in Parks, Brown, 67; R. P. Thweatt to AHS, 15 December 1858, Stephens Papers, LC.

"thought I was an insidious rival, slyly worming myself into his place, or trying to." If the President had been aware, Stephens wrote, "of how I pitied him . . . with all his powers" he would surely have changed his views.

But Old Buck had reason to mistrust Stephens. The latter's pro-Douglas views were well known, and much to Stephens' vexation--he told everyone who would listen that it was not true--the capital was rife with rumors that he was an aspirant for the presidency. "I do wish an end put to all such use of my name," he wrote irritably.

He had been in a much better humor the night before when Secretary Cobb came to call. Cobb, reported Stephens, was "very bitter" against Douglas. "He said that if Douglas ever was restored to the confidence of the Democracy of Georgia it would be over his dead body politically." This struck Little Aleck as funny, and he teased his rotund friend. Both his feelings and his policy would be run into the ground if he persisted, he told Cobb. It would be another Tugalo ticket. Stephens had good reason to be jovial. He had firmly made up his mind to retire, and the decision seemed to lighten his mood, at least as much as his mood could ever approach being cheerful.

His labors in the House, however, were not without their annoyances. The House had finally got around to taking up the bill for Oregon's admission as a state, a bill which the Senate had passed the previous May. On 7 January 1859 Chairman Stephens announced that his Territorial committee was ready to report the bill favorably. Still smarting from the English bill, House Republicans objected. Oregon was a Democratic state that barred free blacks from its borders. Either

or both of these things provided some Republicans with excellent pretexts for making political capital out of what should have been a routine matter. Moreover, Oregon was to be admitted with 60,000 representative population--30,000 less than the Democrats had required of Kansas in the English bill.

The country was now presented with the incongruous spectacle of the Republican party opposing the admission of a free state while southern Democrats argued for its admission. Five times during January and February Stephens attempted to have the bill brought up, and each time was stymied by Republican objections. On 10 February the bill finally reached the floor when the Committee on the Territories came up in the scheduled calls for reports.<sup>24</sup>

The high point of the short debate came on 12 February when Stephens delivered what all of Washington knew would probably be his last congressional address. (That Congressman Stephens meant to retire at the end of this session was common knowledge.) The galleries were jammed, and even the floor was thronged with onlookers. A hush fell over the crowd as Stephens' shrill voice pierced the hubbub.

One by one Stephens took up the objections to the bill. Two wrongs could not make a right, he said. If, as some Republicans had charged, the Democratic party had done an injustice to the people of Kansas by requiring 90,000 inhabitants before admittance, "how can that be righted by repeating it toward Oregon?"

The two cases were "totally dissimilar," however. As far as

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<sup>24</sup>AHS to LS, 30 November 1858, Stephens Papers, LC; ibid., 7, 8 December 1858, MC; Cong. Globe, 35th Cong., 2d sess., 266; Rabun, "Stephens," 520-21.

Oregon was concerned the House was obligated by the provisions of the Northwest Ordinance of 1787 (one of which was that only 60,000 inhabitants be required before application for statehood.) No such guarantee had ever been given to Kansas.

Stephens then spent a few moments demonstrating that Oregon's population far exceeded 90,000 anyway. Extrapolating from an unofficial census completed in 1855--projecting average growth from official population statistics and the statistics on personal wealth--Stephens concluded that "there are more than one hundred thousand people there."

Little Aleck turned next, and with pleasure, to demonstrating the Republicans' hypocrisy in demanding of Oregon's constitution what had not troubled them in the Topeka constitution that the Kansas free-staters had formed, specifically the abrogation of the negro exclusion clause. "Whether this banishment be right or wrong it is now worse in Oregon than it was in Kansas." Inevitably Stephens could not forego a chance to glorify the condition of the negro in the South:

On the score of humanity, we of the South do not believe that those who, in Kansas or Oregon, banish this race from their limits, are better friends of the negro than we are, who assign them that place among us to which by nature they are fitted. . . . We give them a reception. We give them shelter. We clothe them. We feed them. We provide for every want, in health, in sickness, in infancy and old age. We teach them to work. We educate them in the arts of civilization and the virtues of Christianity, much more effectually and successfully than you can ever do on the coasts of Africa. And, without any cost to the public, we render them useful to themselves and to the world.

This obligatory litany over, Stephens next turned to the contention that the Democrats favored Oregon simply for political



reasons, a view, said Stephens, which was simply "mistaken." The Democrats, as always, were standing "upon principle." The bill was right: that was why the Democrats favored it. In similarly short order he also disposed of Know Nothing objections to the alien suffrage provisions in the constitution: by the Dred Scott decision and the Constitution the federal government could not interfere with a state's right to grant suffrage to whom it pleased. That was that. Two southern Americans, Felix Zollicoffer and Joshua Hill, both attempted to interject with arguments but Stephens cut them off short. His time was limited; he would not entertain any objections.

The last part of the speech was by far the most interesting. Several southerners were opposing Oregon's admission simply on the grounds that it was a free state, that it would further tip the balance of power against the South. "That balance is already gone," Stephens told them, "lost by causes beyond your or my control." But the security of the South rested on principles, not numbers. "Let us, therefore, do justice, though the heavens fall."

No statesman, said Stephens, should ever consult his fears. Great changes were crowding in upon them. The West was being peopled; it would continue to develop and grow. "Nothing in the physical world is still. . . . Progress is the universal law governing all things. . . . Our government and institutions are subject to this all pervading power." Why, in the fifteen years he had been in Congress look what momentous changes had occurred: six new states, 1.2 million square miles of new territory, two-and-a-half times the tonnage, three times the exports of manufactures and staples, three times the amount of

money, and similar astounding increases in cotton, railroads, the telegraph, schools, colleges, and the arts.

The South had no reason to fear such progress, he argued. Her security was guaranteed by the Constitution: the whole fabric of the country was based upon the dissimilarity of its respective members. The South's safety "lies mainly in strict conformity to the laws of [the country's] existence. Growth is one of these." New states were to be allowed in under constitutions the people made for themselves; this was ground the South had always defended. He pleaded with his colleagues not to abandon that principle now.<sup>25</sup>

At one point Stephens waxed so eloquent on the glories of the Union and the near divinity of the American political system that he was interrupted by a tumultuous burst of applause from the galleries and the floor. Even seasoned legislators, their sense of hearing long trained to a habit of voluntary hibernation on the floor of Congress, stood up and joined in. The tribute was singular. For all of his faults Alexander Stephens had the respect, if not the affection, of his legislative colleagues.

The speech, said the Washington Union, "was one of the most eloquent and effective ever delivered in Congress," and furthermore, was responsible for the final passage of the bill. This last assertion is doubtful; not many Republicans or anti-Oregon southerners had been convinced. The final vote was 114-103, and fifteen Republicans had provided the crucial votes. The great majority of that party,

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<sup>25</sup>Speech in Cleveland, Stephens, 621-37.

along with twenty-six southerners, had voted against Oregon's admission to the last.

Even Linton Stephens, always Alex's most exacting critic, thought the speech "the most powerful I ever read from you." Indeed, Linton, who had spent a few weeks with Alex in Washington in January had noticed a definite change in his brother. He had, he told him, "become more impressed with your intellect . . . than I ever was before. . . . You seem to me to be a benign and superior intelligence moving among the rest."<sup>26</sup>

Stephens could have only purred at such praise. As it happened, his speech with all the attendant praise and attention it brought him, and these comforting words from Linton had come at a time when he was undergoing one of the most profound of his habitual depressions. And in this case, as it is with so many others, it is impossible to pinpoint the exact cause of his sorrow. Linton, who was normally a pack rat when it came to saving his brother's letters, was so troubled that he actually destroyed a letter Alex wrote near the end of January. His replies to that missive are all that survive.

At first Linton felt sure that he knew the cause of the sorrow, and he wrote to Stephens with a directness only he would have been allowed, and with an intimate knowledge that only he possessed. Stephens had evidently intimated that he had been successful in keeping the cause of his deepest misery secret and hidden from mankind. But

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<sup>26</sup>Rabun, "Stephens," 523; LS to AHS, 26, 19 February 1859, Stephens Papers, MC.

Linton knew, and had known for a long time, he said. "I may be wholly mistaken," he admitted, "[but] if I am wrong I don't understand you at all." Delicately, he continued:

In my judgment it is the foundation of your highest virtues and the source of your greatest faults. If I know you, one of your leading virtues is a a resolute, determined, almost dogged kindness and devotion of service to mankind who have in your judgment no claims to your affection and whom your impulses lead you to despise and hate. This is the great battle which often rages, the conflict between your resolution to be kind, and your impulse to be almost vengeful . . . One of your greatest faults which has been more and more corrected from year to year . . . is a residuum of 'what's not resisted'--an imperiousness which loves to show the vile herd how immeasurably they are your inferiors in certain points. . . . your philosophy has failed to cure the unhappiness of your constitution. . . . The opinions of people have too much power to affect your happiness. . . . Besides, you impute to them sometimes opinions which they do not have.

Thus Linton wrote on 29 January 1859, but upon rereading his brother's letter the next day he was no longer so sure. Never, he said, had he seen anything like it, "or approaching it in its energy, its despair and yet its unearthly resolution to bear on, and despair on." "You must allude to something I don't understand," he said. He had always thought it was human nature to want to share misery. Not so with his brother. In him he found a conscious desire to hoard it. "A desire from your earliest remembrance to keep it to yourself, is what you say." For his own peace of mind, but unfortunately for history, Linton burnt the disturbing letter. Little Aleck's dark secret was lost. He never spoke of it again.<sup>27</sup>

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<sup>27</sup>Ibid., 29, 30 January. Parenthetically it might be noted that if one were inclined to find some deep-seated psychological deformity--say, homosexuality--then Linton's letter of the 30th could

In some ways the historian is not quite as restricted as Linton was in attempting to discern the cause of Stephens' sorrow, for he has evidence at his disposal that at least suggests a possible reason for it. Linton may well have been correct in his conjecture. Stephens was overly concerned with the opinions of others, and the tension between his "imperiousness" and his disposition to be kind was omnipresent and a source of much grief. But chances are Linton never suspected that his brother was undergoing pangs of an entirely different sort--an affair of the heart.

Never in his life was Stephens comfortable discussing such matters. Evidently he found it embarrassing, too personal, too private to discuss even with Linton, or Dick Johnston, or Toombs. Why he so decided must forever remain his own secret. While still very young Stephens had resolved to remain a bachelor. On the single occasion that Johnston managed to get him to discuss it, Stephens explained that his precarious health forever precluded his marrying. He did not wish to burden any woman with the lifelong care of an invalid. Understandably Johnston was not satisfied with this explanation, but Stephens refused to elaborate further. When pressed, he answered with but a single word--"pride."

Did this laconic reply conceal a frustrating and corrosive consciousness of his own inadequacy as a man? A sexual inadequacy perhaps? Or an inability to deal with women emotionally? Or was he simply too proud, as he said, to become dependent on anyone? There is

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provide, perhaps, suggestive evidence. Oddly though, Rudolph Von Abele, the Stephens biographer most inclined to psychoanalyze his subject, passes over this interesting correspondence without a word.

no way of knowing for certain. But of this much we can be sure: several women found Stephens to be more than ordinarily attractive--and in 1859 he entertained the same feelings about a comely Athens widow.

Even before the appearance of Elizabeth Church Craig (for that was the widow's name) in Stephens' life, he appears to have captured the heart of another Georgia lass who is known to us now only by her first name, Constance. Only one letter in the entire Stephens' collection refers to her, but it is clear that her relationship with him had been more than simple friendship, and it was a relationship that he would not allow to continue. "Constance has just left me," Stephens wrote Linton in November 1849:

She wept sorely and bitterly. The conflict of feeling between a desire to stay and a duty to go seemed to be exceedingly strong, or rather perhaps I should say that the consciousness that we had to part caused her great pain and mortification of spirit. I dont know that I ever saw her so much affected. I bid her good bye with a heavy heart and suffered upon the last wound that must be--"farewell" . . . But she is gone.<sup>28</sup>

His relationship with Elizabeth Craig terminated similarly, but

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<sup>28</sup>Johnston and Browne, Stephens, 499-500; AHS to LS, 28 November 1849, Stephens Papers, LC. One of Stephens' early biographers sheds what might be a few more elusive rays of light on the mysterious Constance, although he does not mention her name. At the time of his writing, in 1883, so he tells us, there lived in Atlanta an unmarried lady who had once been linked romantically to Stephens. The pair had first met around 1840 when the girl was only sixteen or seventeen years old. Ten years later they met again and became more serious, their relationship "amounting to an engagement." "Occurrences of a private nature, delays and disappointments intervened and prevented their marriage," he says, but in the best romantic tradition both remained single for each other's sake. Frank Norton, The Life of Alexander Stephens (New York, 1883), 86. The last statement is, of course, fanciful, but it is possible that the woman referred to is Constance, since the date of the supposed romance coincides with the hard evidence. It might be noted here that Stephens had a number of secret admirers too, some of them more bold than others. "My dearest friend," wrote one of these in the 1840s. "Will we never meet? Will our happiness never be complete?" "Carrie" to AHS, n. d. [1840s], Stephens Papers, LC.

not before it had reached the stage of considerable mutual affection. Elizabeth was thirty-seven years old in 1859, the youngest and prettiest of the three daughters of Alonzo Church, the president of Franklin College. Stephens had first met her when she was a child, and he was boarding with Church as a sixteen year old freshman at the college. Stephens had been kind to her then, refusing to tease and antagonize her along with the other students, a fact she gratefully remembered later.

The years intervened. Stephens went on to fame, and Elizabeth grew up into a beautiful young woman. In 1843 she married a young army officer, Lewis Craig. Ten years later Craig was killed by Indians in New Mexico, and shortly thereafter his widow renewed her friendship with Stephens, writing him a sympathetic note after his train accident near Macon. The correspondence thus initiated continued; the affection between the two deepened. By 1857 Stephens was seasoning his letters to Elizabeth with "the spice of flattery" and "kindly sentiments," which, she confessed, "affected . . . my heart."

About the time of his despairing letter to Linton in January 1859, Stephens was working to push a bill through the House to pay her over \$800 in back pay due her former husband, and it was more than simple gratitude that prompted her to call Stephens "the greatest man now living" when the bill passed.<sup>29</sup> Mrs. Craig must have been much on Stephens' mind during these months, and the consciousness of

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<sup>29</sup>Rabun, "Stephens," 546-49, contains the account of Stephens' relationship with Elizabeth Craig, an account which I have closely followed here. But he does not connect the "romance" with the letter to Linton. E. C. Craig to AHS, 21 June 1853, Stephens Papers, LC; *id.* to *id.*, 28 January 1857, *ibid.*, EU; R. M. Johnston to AHS, 27 April 1859, *ibid.*, LC.

what he felt compelled to do--terminate a relationship that was growing dangerously warm on both sides--was agonizing; and yet it was an agony he could not share, even with Linton.

He evidently tried to get out of it gracefully; he sent her some jewels with the hope that they would establish "a place" for him in her "memory." Elizabeth was delighted with the gift, but assured him that it could not "compare with that jewel which beyond all others I prize and which I hope I shall never lose--your friendship."

Stephens found it impossible to extricate himself from her immediately--and maybe because he did not want to. On two occasions during the summer of 1859, once when he was arguing two cases before the Supreme Court and again when he came over to Athens to present oratory prizes at the college commencement, he stayed as a guest with the Church family. Stephens' visits could not have failed to thrill Elizabeth. Indeed, after his last stay she visited Dick Johnston, "looking uncommonly beautiful," he told Stephens, "and saying many beautiful things of You." The fact that Stephens had found it convenient to stay with Elizabeth and her family twice in the space of three months suggests that he may have weakened in his resolve: could he have had proposing marriage to her in mind? Johnston, for one, was "suspicious."

But it was not to be. Elizabeth left Athens in October 1859 to visit her good friend, Miss Harriet Lane, the vivacious mistress of Buchanan's White House. She never saw Stephens again. Her last letter to him is at one and the same time pathetic and poignant. It was enclosed with a gift, a copy of Ruffino's sentimental novel Dr. Antonio. "You," she wrote, "in your noble charities, devoted friendship and



thousand other good qualities come nearer" the goodness of Dr. Antonio "than anyone I know--this you will believe me is the sincere and just tribute of my heart to one who has always been this, and more, in my estimation."

The book, however, as Elizabeth might well have suspected, was a farewell gift, for she had already received intimations from him that even friendship with her was too distressing for him to bear. "Your letter," she said, "produced a feeling of sadness, I cannot tell why, unless it was the allusion to your suffering, of which I had never known of before, or it may be it seemed a farewell letter, perhaps it was a combination of both."<sup>30</sup> It was a farewell letter. Elizabeth wanted to see Stephens before leaving for Pennsylvania, but he avoided her. His letter had said it all, characteristically in oblique fashion. Within six months she had met and married a man less impervious to her charms, James Robb, a rich widower and banker from Chicago. Except for the time with Johnston, Stephens never again mentioned her--but his thoughts were his own.

Stephens was making no secret of his desire to be free of politics, however. He had a habitual sense of foreboding about the future, but in February 1859 it was at least not without reason. The sectional tensions increased daily; the administration continued its unremitting war on Douglas, much to Stephens' distress. The last time Stephens met with Buchanan he warned the President: his policy "would

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<sup>30</sup>E. C. Craig to AHS, 20 July 1859, Stephens Papers, LC; R. M. Johnston to id., 12 August 1859, ibid.; E. C. Craig to id., 2 October 1859, ibid.

lead to disruption of the Government: 'It will be as certain,' [he] said, 'as that you would break your neck if you should jump out of that window.'" Indeed, Stephens did not believe the present session would end without "a general smash up." But, for once, he was not concerned. He was going home for good to "devote myself to pursuits more congenial to my tastes and nature."

"The state cannot fill your place in Congress," wrote Governor Brown, a sentiment that was echoed in Democratic presses throughout the country. Stephens' retirement was "a public misfortune," said the Washington Union, a "serious . . . loss," agreed the National Intelligencer.<sup>31</sup>

Certainly the most impressive tribute was extended by Stephens' own colleagues. On 1 March sixty members of Congress, "personal friends" they ascribed themselves, tendered him an invitation to a testimonial dinner to be held the following Friday, 4 March. Among the signers were almost half the members of the Senate: Douglas, Andrew Johnson, Seward and his Republican colleague Simon Cameron; the Vice President John C. Breckinridge; and numerous friends from the House: Speaker Orr, Vallandigham, and L. Q. C. Lamar among others.

Uncharacteristically, for Stephens loved adulation more than most men, Stephens pleaded the press of personal business at home and declined the invitations. On 15 March, without ceremony, Little

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<sup>31</sup>Stephens, Recollections, 29; AHS to LS, 3 February 1859, Stephens Papers, MC; id. to R. M. Johnston, 28 January 1859, in Johnston and Browne, Stephens, 341; Joseph E. Brown to AHS, 14 February 1859, Stephens Papers, DU; Augusta Constitutionalist, 5 February 1859; Washington Union, 5 March 1859; Washington National Intelligencer, 10 February 1859, both quoted in Rabun, "Stephens," 525-26.

Aleck departed the capital for home--and towards a destiny he could not have imagined.<sup>32</sup>

Why had he done it? Why had he left Congress just as he was approaching the peak of his power and influence? Students of Stephens' career cannot agree, but all concur that stories that gained currency after the war are fanciful. According to one Stephens supposedly explained: "When I am on one of two trains coming in opposite directions on a single track, both engines at high speed, and both engineers drunk, I get off at the first station." In another tale Stephens is an uncannily accurate seer. As he stood on the deck of the Potomac steamer, the unfinished Capitol dome receding into the distance, an onlooker observed that he was probably dreaming of returning as a U. S. Senator. "No," Little Aleck replied. "I never expect to see Washington again, unless I am brought here as a prisoner of war."

Like most legends these contain a grain of truth. Stephens, as has been noted, was not without grim forebodings of the future. Moreover, there can be no question that he was fed up with Congress, tired of being pestered by favor seekers, and, by his own account, overworked and unappreciated by a "restless, captious, and fault-finding people." Nor can it be denied that his love for Crawfordville and the idyllic life of reflection and repose it offered were genuine, not the product of some long process of self-delusion, as one biographer has suggested. Stephens was much too lonely and provincial a man to

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<sup>32</sup> Washington National Intelligencer, 5 March 1859; Von Abele, Stephens, 171.

have found much contentment and peace away from home. Simply enjoying Rio at his house afforded him more pleasure than "enjoyment of all the honors this world has ever seen fit to bestow upon me," he said, shortly after his arrival home. "I am content . . . I am content."

For years now, ever since 1855, Stephens had flirted with the idea of retiring. All that had ever brought him back to Congress before was an unavoidable battle for the principles of the Kansas-Nebraska act, a bill he took inordinate pleasure in and for which he considered himself personally responsible. The bill, like the Kansas question itself, was now a dead letter. His reason to stay was gone.<sup>33</sup>

"I am now out of politics and intend to stay out," Stephens wrote on 9 April, consoling himself with the reflection that throughout his public life he had "been influenced alone by . . . a high sense

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<sup>33</sup>The two stories are recounted in Johnston and Browne, Stephens, 353, 348; AHS to R. M. Johnston, 28 January, 15 March 1859, ibid., 341-42, 344-45; AHS to LS, 16 March 1859, Stephens Papers, MC. Rabun, "Stephens," 528-30, devotes most of his time to discounting Stephens' pessimism in the spring of 1859. He also advances the dubious theory that Stephens had talked himself into believing that he was contented in Crawfordville. He chooses to ignore abundant evidence that, whatever his feelings about home, he was certainly dissatisfied with being in Congress. Von Abele, on the other hand, does not state a reason, implying (as is his fashion) that the "real" reason lay obscured in Stephens' murky psyche. He does, however, make this fantastic obiter dicta: "No man whose public career has arrived at such a point as his--a point from which it can go on in a steady ascent--voluntarily chooses to cast over the work of a lifetime. If he has gone so far he will go farther unless something bars the way." Stephens, 172. In the space of two sentences he transforms Stephens into a stereotypical politician, suggesting that the "curve of the election returns in his district" may have had something to do with his retirement. Both of these interpretations, I think, fly in the face of the plain evidence that Stephens was tired, harrassed, extremely unhappy, and he wanted to go home and stay there.

of duty." His own desires notwithstanding, Stephens' intentions were the source of considerable discussion among the gossip-mongers, in Georgia and throughout the country. Little Aleck's retirement, it was said, was but prelude---either for a try at the presidency or for the Georgia Senate seat coming up for election in the fall.

Stephens' retirement had coincided with the beginning of the biennial gubernatorial campaign in Georgia. Given the instability of Georgia's Democracy and the amount of weight he wielded in the state party, Stephens had about as much chance of renouncing politics as he did of renouncing breathing. He and Toombs (who incidentally deplored the war on Douglas as much as his friend) were the recognized leaders of one of the party's recognizable factions, a group generally lukewarm towards the administration, and hence at best ambivalent--and in the case of James Gardner, editor of the Constitutionalist, overtly hostile--to Cobb's presidential hopes. A second, and larger faction followed the Secretary. The Cobbites were avowed enemies of Douglas and supported the national regime. The smallest portion of the party was the ever-present southern rights wing, unreconciled to the loss of Kansas and insistent that southern rights were in danger and in need of further safeguards. This group, strong in the southwestern part of the state, looked to Senator Alfred Iverson for leadership. The least well defined faction was Governor Brown's cadre. For the past two years Brown had skillfully erected a formidable patronage machine of his own based largely on the state-owned Western and Atlantic Railroad. Concerned first and foremost with consolidation of state power, the governor kept a wetted finger in the winds on national issues and sailed with the prevailing winds.

Brown, on the eve of a reelection campaign, was carefully keeping his lines open to both major factions of the party. His courting of Stephens was almost obsequious, a manner most effective with Little Aleck. The governor was constantly soliciting his advice and counsel, and he had gushed most appreciatively when Linton presented him with a portrait of his brother. One copy of the distinguished countenance was not sufficient, he said; he wanted another to hang on the wall of the executive office in Milledgeville.<sup>34</sup>

The governor's sealing of the friendship with Stephens occurred in May 1859 when he appointed Linton Stephens to a vacancy on the Supreme Court bench. Stephens was almost ecstatic when he heard the news. "I am truly gratified," he burred to Linton. "Never more gratified at any news in my life. My very heart overflowed."

Observers less personally involved in this transaction saw through it immediately. "Gov. Brown is proving himself to be a pretty good diplomatist," the Columbus Times wryly observed:

Who will say that this is not right smart to hand out "loaves and fishes" to the men he expects to work for him--and to log-roll for those only who have large forces to help him when he needs. We suppose there are a hundred men in Georgia better qualified for a seat on the supreme bench than Linton Stephens, but none of them have got "little Alec" for a brother.

In the meantime Brown had also secured his other flank by striking a working agreement with Cobb. The Secretary, his eye constantly on 1860, had personally intervened to squelch a patronage

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<sup>34</sup>AHS to John H. Steele, 9 April 1859, Stephens Papers, DU; on Stephens' political ambitions, see letters in Stephens Papers, LC, for February through May; Simpson, Cobb, 132; LS to AHS, 21 June 1859, Stephens Papers, MC.

squabble between his lieutenant Lumpkin and the governor. In return for unofficial assurances of a friendly delegation to the Democratic national convention, Cobb persuaded Lumpkin to cease his grumbling against the governor and forego his usual quest for the gubernatorial nomination. Brown, as will be seen, got the far better half of the bargain.

Cobb's detente with Brown was only part of the Secretary's plan to insure his political future. He too was aware of how vital Stephens' support was. Thus in the weeks before the June convention his followers took pains to lobby Stephens for support of the administration. They were less than pleased by what Little Aleck told them: he hemmed and hawed, would not commit himself unreservedly for pro-administration resolutions at the upcoming convention--he favored them, he said, "if they could not hurt"--and flatly refused to support any further definition of southern rights in the territories. The Cincinnati platform, he thought, was sufficient.<sup>35</sup> Stephens, who was far more intent on preserving a united party than in promoting Cobb for the presidency, favored a middle course neither praising Buchanan too extravagantly nor blasting Senator Douglas. Among the ardent Cobbites such an attitude only engendered suspicion and mistrust. Indeed, for the next year and a half they looked askance at every thing Stephens did or said, more often than not discovering foul plots to promote his own interest at the expense of Howell Cobb's.

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<sup>35</sup>AHS to LS, 13 May 1859, *ibid.*; Rome *Courier*, 25 May 1859, quoted in Parks, *Brown*, 80; Montgomery, *Cracker Parties*, 211-13; Simpson, *Cobb*, 133; Milton, *Eve of Conflict*, 373; James Jackson to Howell Cobb, 30 May 1859, Cobb-Erwin-Lamar Papers, UG.

Cobb's friends were not the only people in Georgia sounding Stephens out. Governor Brown, despite his assurances to Cobb, also wanted advice on the stance the party should assume towards the administration. And Stephens obliged him--with a twenty-five page letter of advice. He was only too aware of the differences many in the party had with Buchanan--the tariff and his Pacific railroad policy, for example--and he "thought it best to let the national creed rest where it is--and to go as far in sustaining the Adm. as could be done without injury to the cause or sacrifice of principle." Generally resolutions expressing confidence in Buchanan's "patriotism and integrity" would be sufficient, he thought. In any event, though, the Democratic party should be sustained, for only within the party, not outside of it, were any "corrective elements" to be found.<sup>36</sup>

Although Stephens was hardly staying out of politics entirely, he did take steps to check some of his more exuberant supporters. He had learned that a few of these had intended to have the convention endorse him for the presidency, a move he crushed in no uncertain terms. Through Brown Stephens informed them that he would not accept the nomination at Charleston even if it were tendered. Remarking upon their disappointment at this news, Brown insinuated that he too thought Stephens' determination a trifle hasty: "While your position as no aspirant is beyond doubt correct"--it was characteristic of the governor to see it as a pose--"I doubt whether your duty to your country would not

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<sup>36</sup>AHS to LS, 2 June 1859, Stephens Papers, MC. The letter to Brown has been lost. These views, according to Stephens, are also those he gave to James Jackson, one of Cobb's men.



require you to obey the call of such a body, if made, and whether you could do your duty and decline it."

The Democratic conclave met in Milledgeville on 15 June. Brown's address to the gathering followed Stephens' advice, and the convention almost unanimously followed the governor's lead. Two of its three resolutions, those affirming the party's faith in the Cincinnati platform and calling for Brown's renomination by acclamation, passed without a single dissenting vote. The second resolution, a very mild endorsement of the administration, was opposed by about ten percent of the four hundred delegates. Except for the tepid endorsement of Buchanan, Cobb was pleased. Stephens, of course, could not have asked for more.<sup>37</sup>

So unconcerned was Brown with the possibility of defeat that he announced shortly after his nomination that he would not canvass the state. Indeed, at that point it would have been a little silly, for it was not until August that the Opposition managed to find a candidate willing to undertake the race. Georgia's Americans had officially disbanded their party in early June, only to announce a convention for an "Opposition party" to be held in July. After several false starts--meetings postponed and being held in different parts of the state--the Opposition eventually convened in Atlanta on 10 August and named Warren Akin, an obscure Cass county lawyer, for governor.

What was most interesting about this convention was its platform,

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<sup>37</sup>Joseph E. Brown to AHS, 21 June 1859, TSC Corr., 445; Montgomery, Cracker Parties, 226; Milledgeville Southern Recorder, 29 June 1859.

a ringing southern rights declaration that demanded positive congressional protection for slavery in the territories. As always, the Opposition leaders were seizing the main chance. The anti-Democratic vote in Georgia had stabilized at around forty percent of the electorate. Unless the Opposition could shake loose enough disgruntled Democrats they were doomed to eternal oblivion. Hence their enthusiastic reaction to Senator Iverson's fire-eating oratory, and their unfeigned delight at the intramural struggle in the Democratic camp. Spread-eagle southern rightism was an excellent tool for accomplishing their ends.

The better part of valor demanded first that the Opposition party attempt to lure Democrats to abandon their party--a ploy they tried first on Iverson (support for his reelection to the Senate in return for his renunciation of the Democracy), and then on Brown (support for his reelection if he would consent to run as a nonpartisan). Neither the senator nor the governor was a fool, however, so the Opposition trained its campaign guns at the two most conspicuous factions in the Democracy: the Douglasites and the administration men. Southern rights were safe in neither's hands, they charged; both had flagrantly disregarded and cheated the South in Kansas; adherence to the Democracy and its imbecile leaders endangered the Union. This was strategy astutely calculated to keep Democrats from ever uniting.

And it worked. While the Oppositionists (with Ben Hill again carrying the brunt of the campaigning) harped on national issues, the Democrats, unable to agree among themselves, fell back on Brown's record. Fortunately, the governor had a good one. The Western and Atlantic was running at a steady profit. Taxes had been reduced, and

Brown's program of public education was popular among his natural constituency, the woolhats and dirt farmers of north Georgia. Even more popular was an attack on the banks, which the Democrats opened in the middle of the campaign. This new attack was simply the second verse of a song Brown had already sung during his term. The governor had not been in office more than a month when he struck a blow for the debtor class during the panic of 1857 by vetoing a bill allowing banks to suspend specie payments.

Joe Brown was too much for the Opposition; the election results were predictable. Brown ran up a startling victory of over 20,000 votes, polling 63,644 votes to Akin's 42,103. The governor had picked up 6,000 more votes than in 1857; the Opposition had slipped by over 4,000.

But the Opposition had not failed completely. Their campaign tactics had put great pressure on the Democrats to maintain an aggressive southern rights stance, if for no other reason than to placate its own vocal and disgruntled ultra wing. The Democratic party, almost without realizing it was beginning to lean perilously in the direction Calhoun had indicated ten years before. In the minds of many of these Democrats were two nagging, constantly recurring questions: Could they survive a Douglas candidacy in 1860? Could they afford not to demand congressional protection for territorial slavery in their next platform?<sup>38</sup> The Democracy could not agree on the answers now, nor would they be able to later, when considerably more than control of Georgia politics was at stake.

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<sup>38</sup>Montgomery, ibid., 227-35; Crutcher, "Georgia Parties," 36-54.

For the first time in thirty-three years the sage of Crawfordville was not running for public office in a Georgia election. This is not to say that he had become an invisible, detached gentleman farmer, whiling away his time with his books, his dogs, and his orchards. Indeed, Stephens was to deliver a speech during this campaign that would attract more nationwide attention than perhaps any other he had yet given in his life. He really had not intended it to have this effect. It was just a little simple farewell address to his Eighth district constituents. . . .

## CHAPTER XV

### "A DAMNED STRANGE DISEASE"

A few days before the speech Stephens was in a quandary. "What am I to do in Augusta[?]" he wondered. "I am in a great strait. I do not know what to say, and . . . would give anything in the world to be out of the scrape."

If he still regarded having to deliver an address to the large and respectful assembly of Democrats at his testimonial dinner in Augusta on 2 July as a "scrape," he gave little indication of it. He spoke for three hours: obviously he had solved his problems about what to say. The occasion naturally lent itself to a review of the past --Georgia's, the country's, and his own--and to some glimpses of the future, at least the future as he envisioned it.

He would have preferred, he said, "to go quietly into that retirement so . . . congenial to my nature" than to accept this public tender of regard, but he could not have refused their request. "This display does in some measure," he confessed, "compensate for the labor, toil, sacrifice, and wear and tear of body and mind" attendant on protecting the public interest. Their confidence in him had allowed his safe passage through the political storms of the past years, and for this he was grateful.

Now, he was happy to say, "I leave the country not only in as good, but in a better condition than I found it." With this rather

startling statement from a man who only a few months previously was despairing of the Union, Stephens launched into a long paen to progress in both the state and nation. He took particular pride in the advance of education in Georgia--five colleges for men now in place of the one that had existed in 1836, and the Georgia Female College at Macon established with his own "warm support." The progress of the nation had likewise been phenomenal. "History furnishes no equal to it," he exulted.

These almost obligatory preliminaries disposed of, Stephens turned next to an exhaustive review of his own career. Not surprisingly, he found nothing in it to regret. All of the great sectional questions that had ceaselessly agitated the country and had caused him "to remain so long at the post you assigned me, have been amicably and satisfactorily adjusted, without . . . the loss of any essential right." "At this time," he pronounced, "there is not a ripple upon the surface."

This happy state of affairs, as Stephens soon made clear, had come about in no small measure through his own diligence and foresight. Resolutions embodying his own and Milton Brown's ideas had been responsible for bringing Texas into the Union, he proudly recalled, with the guarantee that four additional slave states could be carved out of her territory. (True enough, but in 1845 Stephens had emphasized closing the slavery question, not the possibility of slavery's expansion.) During the crisis of 1850 the principle of nonintervention had been established, something that at the time he had not considered "the full measure of our rights." He had preferred congressional protection of territorial

slavery, but had yielded readily to the prevailing opinion in the South.

Since the establishment of that hallowed principle, Stephens had done nothing but defend it. Indeed, all of the ensuing struggles had been "for abstract principle on both sides." Little Aleck was swift to remind his audience that the principle, even if it led to no practical results, was paramount:

Practical results should weigh but little when great fundamental, constitutional, and abstract principles are to be settled. These underlie all popular rights, and constitute the essence of sovereignty and independence; and the fate of nations depend upon a rigid maintenance of them.

But had not all of the agitation harmed the South? No, Stephens asserted flatly. The South had not been the aggressor. "We repelled assault, calumny, and aspersion, by argument, by reason, and truth." Far from being weakened, slavery had actually been strengthened by all of the agitation--"not only in the opinions, convictions, and consciences of men, but by the action of the government." The odious Missouri restriction had been removed, and the Supreme Court had prevented both Congress and the territorial legislatures from excluding slavery from the territories.

As for the future, because it would rest on this glorious past, Stephens felt no apprehension. So long as the constitutional equality of the states was maintained and "virtue, integrity, and patriotism" ruled in the public councils, the Union would stand. "So far as the sectional questions are concerned, I see no cause of danger, either to Union, or southern security in it." Not only was the South secure, but she also seemed destined to achieve an even more glorious future.

The northern provinces of Mexico beckoned, and even more importantly, so did Cuba.

No longer was Stephens concerned with American neutrality in Cuba's case. "She lies geographically in the natural line of extension and acquisition," he explained, and as the United States as yet had no possessions in the tropics, Cuba "would fill up this deficiency." Spain's possession of the island was but a minor inconvenience. She held it only by "force and conquest." The remedy, said Stephens, was simply to repeal all the laws against filibustering and allow Americans "to go and help" the Cubans achieve independence. The island was worth only one or two million dollars. This was all he would offer Spain-- if she refused this magnificent sum, "I would simply quit spending other millions in keeping watch . . . for her to oppress and rob; I would simply quit holding while Spain skins."

Stephens had never been a particularly strong advocate of slavery's expansion, professing himself to be concerned solely with the maintenance of southern equality in the territories. But in the past few years, he, like many another southern politician, had cast covetous glances in Cuba's direction. The South's "defeat" in Kansas had simply made Cuba seem all the more desirable. The island permitted slavery; it was made to order for ardent southern expansionists. Clearly, though, Stephens was not one of these. He never, for example, argued that southern security depended upon the spread of slavery as many southern radicals did. But he could see no harm in spreading the institution "to the extent of population and capacity."



Stephens might have let the subject rest here with this commonplace and harmless observation, but he did not. Instead he plunged heedlessly into a subject long taboo amongst all but the most radical proslavery zealots--the reopening of the African slave trade:

I deem it my duty [he said] to repeat what I said in 1850 . . . you may not expect to see many of the territories come into the Union as slave States, unless we have an increase of African stock. The law of population will prevent. . . . It takes people to make States; and it requires people of the African race to make Slave States. This requires no argument; and I very much question whether . . . we can furnish the requisite number to secure more than the four states to come out of Texas in the present territories. . . . To look for, or expect many more, is to look in vain, without a foreign supply. This question the people of the South should examine in its length and breadth. It is one deserving of consideration of the gravest character. It deeply concerns our internal interests and domestic policy, as well as the growth and extension of our institutions. It should not be acted on or decided hastily, but calmly and deliberately.

This iron law of population was so obvious, Stephens continued, that it was utterly useless to wage war on northerners who denied the rights of slaveholders in the territories. It was likewise useless for southerners to quarrel among themselves "unless we get more Africans to send there to be protected." If the long settled policy of the country prohibiting the slave trade were adhered to, "the race . . . between us and . . . the North, in the colonization of new States . . . will soon have to be abandoned."

The speech did not end there--Stephens went on at length to justify the institution of slavery, and to take a lofty leave of his constituents. There was not a single one of his past actions he would change, he said. He was not discontented. All of the important

questions had been settled, so he was retiring. He would not, of course, declare that under no circumstances nor in any emergency would he hold office again, but "I do say, that there is no office under Heaven that I desire, or wish ever to hold." And with sincere apologies to anyone he may have offended by word or deed in the heat of party battles, Little Aleck closed.<sup>1</sup>

Perhaps only an announcement from Stephens that he had converted to Republicanism would have created a greater sensation than did his remarks on the slave trade. He had scrupulously avoided actually advocating reopening the trade, but almost everyone, north and south, read his remarks that way. According to one eyewitness that part of the speech "brought down the house."

Stephens' own opinion was that the speech had gone well, but was being miserably reported. Therefore, despite severe rheumatic pains in his hands and fingers, he set about preparing the speech for the press. The task was, in his opinion, "a great bore," but he wanted the record kept straight. He had not endorsed reopening the slave trade, he angrily insisted. "I offered no opinion," he told Linton. "But if they decided against bringing in more Africans they must cease mouthing against the loss of new states."

Stephens was even more galled by the Chronicle's acid comments on his arrogance, his lack of modesty, and his excessive "self-laudation." Although he had not read the paper's account--he had come to expect such treatment from it--he acknowledged himself "really astonished"

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<sup>1</sup>AHS to LS, 29 June 1859, Stephens Papers, MC; speech in Cleveland, Stephens, 637-51.

to see similar editorials in other papers and begged Linton to read the speech over to see if the criticisms were justified. "There is a good deal of self will about me," he confessed (as if Linton was not aware of it), "and an earnest spirit to have my way, but I do know that I am not vain however I may appear to others."

Linton, of course, found nothing in the speech to warrant its being termed "arrogant." Indeed, it had been "well considered, thoughtful and wise . . . well suited to the occasion and containing important truths and sound philosophical views."

Linton's opinion was hardly shared by others. In fact, all Stephens had done was confuse most people. The militant southern rights men were not confused. They were delighted. Edmund Ruffin, the Virginia radical, wrote Stephens for a copy of the speech. The Washington Citizen also expressed approval, even though the speech would "shock some fools, and . . . distress some rogues." A South Carolina farmer, who evidently understood the Divine plan better than grammatical rules, also wrote to express his unqualified endorsement: "Give us moore Africans," he said, "and there labour will crowd the Soils, by raising moore of the Raw material[.] God has created the Soil: and gave the climit and the Seed and It is our duty to cultivate the NEED and we must have moore Africans to fill the Space that at this time is so empty. . . . It is the only way to civilise the Negro to bring him here and place him where he by nature belongs."<sup>2</sup>

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<sup>2</sup>LS to AHS, 3, 17 July 1859, Stephens Papers, MC; AHS to LS, 5, 9 July 1859, ibid.; Augusta Chronicle and Sentinel, 3 July 1859; Edmund Ruffin to AHS, 3 August 1859, Stephens Papers, LC; W. C. Cleveland to AHS, 11 July 1859, ibid.; Washington Citizen, 9 July 1859, quoted in Savannah Morning News, 11 July 1859.

These opinions, however decided, hardly represented more than a small minority in the South. The editor of the Southern Recorder averred that he had as yet to meet "the first man that avowed opposition to the . . . laws" prohibiting the trade. Among those who knew Stephens well some were willing to bet (eighty-five slaves in Martin J. Crawford's case) that Little Aleck had not endorsed reopening the trade. Others, however, had read his remarks in just the opposite way. Peterson Thweatt, one of the governor's lackeys and the Comptroller General of Georgia, wrote to warn Stephens that "the general sentiment of the country is not only opposed to an agitation of this repeal of the laws . . . but . . . more strongly opposed to the trade itself." Discussion of the matter simply divided the South, he said. Another of Stephens' Georgia confidants, however, thought that the speech had converted more people to the slave trade policy than anything "that has ever been said by any body any where." Stephens' Georgia enemies could scarcely contain their delight. Nine-tenths of the people, reported Tom Cobb, were opposed to the trade, and many of Stephens' old friends were condemning his stand outright. Gleefully Cobb contemplated all the good will his brother was accruing.<sup>3</sup>

With southern opinion in this tangled state, it can well be imagined how Stephens' speech was received in the North. It had created "quite a sensation," said one Republican paper, not only among the abolitionists, but also among moderates who had been deluded into

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<sup>3</sup>Milledgeville Southern Recorder, 11 July 1859; Martin J. Crawford to AHS, 7 July 1859, Stephens Papers, LC; R. P. Thweatt to id., 8 July 1859, ibid.; J. Henley Smith to id., 24 July 1859, ibid.; T. R. R. Cobb to Howell Cobb, 24 August 1859, Cobb-Erwin-Lamar Papers, UG.

believing that the "'respectable, moral and wealthy' portion of the Southern people" opposed the trade as an unmitigated evil. Northern Democrats were plainly distraught; several wrote to Stephens warning that as an issue the slave trade would be disastrous for the party.

It is difficult to imagine what possible reason Stephens could have discerned for his remarks at Augusta. As the controversy over them heightened, Stephens got angry. "I certainly meant to say nothing except what is clearly expressed," he said, "--that was that unless we get immigration from abroad we shall have but few more slave states. This great truth seems to take the people by surprise."<sup>4</sup>

Was Stephens so naive as to believe that belaboring the obvious would pass for a simple declaration of fact and nothing more? Hardly. He was too practiced a politician for that. But unless he had changed his mind on the slave trade question since December 1856 (when he voted for a resolution condemning a reopening of the trade) he was not endorsing the trade either. Nor could he have possibly supposed that such statements could possibly win him any friends in the North. If he were interested in the Democratic nomination for 1860--and this speech demonstrated beyond doubt that he was not--he had chosen a most bizarre means of demonstrating his national appeal.

What then was his point? It appears that in his own convoluted fashion Stephens hoped to promote southern unity. Belaboring the obvious was a backhanded way of undermining his enemies' position.

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<sup>4</sup>New York Commercial Bulletin, quoted in Savannah Morning News, 15 July 1859; James J. Steele to AHS, 29 August 1859, Stephens Papers, LC; Jules Kennedy to id., 13 July 1859, ibid.; AHS to J. Henley Smith, 29 July 1859, TSC Corr., 446.

Both the Opposition and the Democratic radicals remained unreconciled to the loss of Kansas. And the issue still embittered southern politics. Stephens, it will be remembered, had foreseen the loss of Kansas months before the actual event in Congress--and for the very reason he emphasized in this speech, lack of population. It made no sense, he argued, for southerners to rail about each others' "unsoundness" if they did not confront the basic demographic facts. The South lacked a sufficient slave population to expand without a substantial increase from abroad. Were southerners willing to admit this? he asked. And were they willing to consider "in all its length and breadth" the question of what means would be necessary to allow southern expansion?

If indeed Stephens actually believed that everything was as rosy in mid-1859 as he depicted it in this speech, then he was being most inconsistent, not to mention impolitic, in raising such a volatile issue as the slave trade anywhere--much less before an all-southern audience where it was bound only to stir up further discord and division. But Stephens had never dissembled, particularly when pronouncing on "great truths." Great truths seldom require shouting from the rooftops, however, and this one was no exception. Stephens' remarks ultimately served no one's cause but the radicals'. In all his long public life, a career studded with unwise, ill-considered, and sometimes downright asinine pronouncements, Stephens' Augusta remarks must rank among the most foolish and foolhardy he had ever uttered.

But then Stephens had retired to private life; others might have to suffer for his foolishness--for the moment he was delighted

simply to be home. And home was a pleasant place to be. "Liberty Hall," as Stephens began to refer to his house around the end of 1859-- "Because here I do as I please and all my guests are at liberty to do the same"--was an unpretentious, yet comfortable dwelling. It sat atop a low ridge on the north side of Crawfordville, in the shade of numerous oaks and hickory trees, which, like their owner, had grown venerable with years. Since 1845, when he had purchased the place, Stephens had made no major structural alterations. The likelihood of his spending more time at home, however, required a change. In the summer of 1859, therefore, Stephens added two rooms in the back, with a small breezeway separating them from the rest of the house. The first of the new rooms housed his substantial library--eventually numbering over 6,500 volumes, heavily weighted towards law and history. The other room was a combination bedroom-office for himself. Except for the carpeting, the new addition was complete by September, and Stephens had moved himself and all of his disarrayed impedimenta--masses of papers, several old trunks into which he tossed his massive daily receipt of letters, his desk and writing paraphernalia, his numberless odd-shaped medicine bottles--into his "new apartments."

From his window Stephens could now enjoy a magnificent view of his garden and the trees of his orchard, which like a stately procession of dignitaries ambled silently up the north slope. Emulating his father Stephens took especial pride in his fruit trees: peaches, apples, pears, figs, and pomegranates flourished under the smiling Georgia sun and their owner's tender care. His garden, which was tended

by the household slaves whose cabins bordered it, produced a sizeable crop of the usual southern vegetables: corn, potatoes, beans, tomatoes, and (Stephens' favorites) peas and okra. Stephens had an open mind about agricultural experimentation. He was constantly tinkering with fertilizers and various types of grasses, for example. But his most obviously successful experiment adorned the same slope as the fruit trees--a magnificent vineyard of Catawba grapes. Little Aleck had planted the grapes in 1848 at the suggestion of immigrants who had settled in Crawfordville. Ten years later the vineyard yielded over 500 gallons of wine.

Like the grounds, the home itself reflected a quiet prosperity: from the parlor (the first room on the right from the entrance hall) with its green and frosted gold shades, its Healy family oils in massive gilt frames, its Italian marble bust of Stephens on a green and white marble pillar, and its curios and mementoes of the years of public service scattered here and there, to the four simply-furnished guest bedrooms upstairs, Stephens' house bespoke an owner of conventional tastes and comfortable circumstances.<sup>5</sup>

Indeed, by Taliaferro county standards Stephens was well-to-do. In 1860 the largest planter in the county owned fifty-five slaves and an estate of \$81,000. Stephens' wealth ranked him thirteenth in 1860: his estate was valued at \$53,000, almost half of its worth in slaves. He owned thirty-four by this time (including three from the estate of brother John) whose value he reckoned at \$19,980. Six

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<sup>5</sup>Rabun, "Stephens," 539-41; AHS to LS, 2 September 1859, Stephens Papers, MC; Cleveland, Stephens, 21-24.



parcels of land he owned in and about Crawfordville were worth another \$3,800; he held \$7,702.55 in notes outstanding. Other property accounted for the rest.

Stephens was never a meticulous keeper of records (the dust-covered trunks in the office were his only filing system), so it is impossible to tell how profitable his farm was. The drought in 1856-57 had hurt his crops, but by 1860 he produced twenty-five percent more cotton, twenty bales, than his previous "best crop" in 1855. In 1860 this would have yielded about \$1000. That same year his farm also produced a ton of hay, 60 bushels of peas, 50 of potatoes, 150 of wheat, and 1,250 of corn. Livestock on the place included 38 sheep, 64 hogs, 6 milk cows, and 14 other cattle. These were respectable figures, to be sure, but farming was an avocation to Stephens, albeit one in which he possessed a good deal of knowledge and derived much pleasure.

His real profession was the law, and it was as a lawyer that he made his money. In 1859-60 Stephens earned \$22,000 in the practice of his profession. It is likely that this sum was more than he had ever earned at the bar before. For the first time in many years Little Aleck was untrammelled by public duties, for while in Washington he never made a dime from the practice of law. Upon entering Congress in 1843 he had made it his rule never to make any money as a congressman beyond his salary, a rule he scrupulously observed. Lest he be accused of conflict of interest he refused to accept compensation from constituents for any work he did for them with the various departments of the government. He declined likewise to take any of his cases to the

state courts while he was in Congress, although he would appear (if there were no conflict with his congressional duties) only as an advocate in trials of causes. Money he earned in this way, sometimes as much as \$2,000 at a time, he gave away: to needy people, to some penurious student, to some charitable cause. Money never meant much to Stephens, even now when he was making a lot of it. "I like law better than politics," he wrote near the end of 1859, "but I like being home better than either. . . . very soon I shall quit the courts, and devote all my time to myself. Not this year; but very soon--if I live."<sup>6</sup>

The pessimism was chronic. As a matter of fact, his health was "very good," good enough for him to be devoting twelve to fourteen hours a day to his work. Nor was he showing much inclination to forget about politics either, but here he had reason to fear the worst. The administration's war on Douglas was incessant, and northern Democrats writing to Stephens were indignant:

If he be sacrificed now, as the edict of the Administration commands . . . when two-thirds of the Southern Democracy voted for him at Cincinnati in preference to Buchanan--the effect will be disastrous. . . . Very well; let us have a Republican president . . . and these same gentlemen will be for dissolving the union . . . whenever they do, they will find the North will scorn them as traitors.

For his own part, Douglas, rather than hunkering down and enduring the siege, sallied forth in September with a long copyrighted article in Harper's Weekly. It created an immediate sensation. Although the article did take some pot shots at the Republicans, it was directed chiefly towards the Little Giant's southern critics. And it

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<sup>6</sup>"List of Taxable Property for 1859," ms. in Stephens' hand, Stephens Papers, DU; Rabun, ibid., 541; Johnston and Browne, Stephens. 349-50.

upheld the northern interpretation of popular sovereignty at every point. If there had been any confusion about exactly where Douglas stood (and even in the South there had been some), none existed any longer.

The article was, in fact, poorly argued, attempting to find a basis in history and constitutional theory for a doctrine grounded in pragmatism. But even the arguments of a certified genius would have had little effect on southerners. Most reacted with intense indignation. The essay, said one Alabama congressman, gave Douglas "a death blow in the South." A Richmond editor called it "an incendiary document." Alfred Iverson, one of Georgia's most rabid southern rights men, and soon to be rewarded by his reelection to the Senate, declared that accepting Douglas now would be suicidal for the South. Several of Douglas' southern editorial friends at once abandoned him. The cadre of southern Douglasites, small in any case, shrunk even further. Very few southerners agreed with Stephens' opinion of the matter. "I have taken the time to read all the papers in the Douglas controversy," he said. "Douglas stands just where he has always stood on the points. He is consistent in my judgment."<sup>7</sup>

If the South had been enraged by the Douglas manifesto, another event, occurring close on its heels sent a jolt of horror down the spines of southerners from Maryland to Texas. On the night of 17 October 1859, old John Brown, as fanatical as he ever was in Kansas, if not more so, led a small group of armed raiders into the village of

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<sup>7</sup>AHS to J. Henley Smith, 10 November 1859, TSC Corr., 448; J. H. Clay Grundel [?] to AHS, 7 October 1859, Stephens Papers, LC; Johannsen, Douglas, 706-710; Craven, Growth of Southern Nationalism, 302-03.

Harper's Ferry, Virginia, and seized the United States arsenal there. Brown's avowed purpose was to foment a slave insurrection, an uprising he hoped would spark a general slave revolt throughout the South. The scheme was madness. Despite Brown's fervent expectations no slaves revolted, and within thirty hours after it began the raid ended in a flurry of gunfire. More than a dozen men, raiders, innocent bystanders, and marines, had lost their lives. Several weeks later Brown was hanged for treason by the state of Virginia.

It is impossible to overestimate the importance of Brown's raid on the southern psyche. Brown's purpose was heinous enough--visions of a second Santo Domingo in the southern United States (no matter how unrealistic) were unspeakably horrible to all southerners, slaveholders and yeoman alike--but what made the episode even more despicable in the South's eyes was northern reaction to it. Many northerners not only failed to condemn Brown's lawlessness, but praised his courage and sanctity. The day Brown was executed, thousands of northerners in hundreds of cities and towns gathered to mourn. Bells tolled; hamlets dressed in black crepe; memorial resolutions passed; prayers ascended to heaven. The abolitionists extolled Brown as a martyr, and in many cases explicitly approved slave insurrection.

The abolitionist fanatics were, as it turned out, more than casually involved with Brown. Shortly after Brown's arrest over 400 of his letters were discovered in a Maryland farmhouse. The letters detailed Brown's plans, indicating that they encompassed the whole South. They also revealed that Brown had the active support of several prominent New England abolitionists. (It was later revealed that six

of these men, including Fredrick Douglass, Samuel G. Howe, and Gerrit Smith, had known of the plot from the beginning and had helped finance it.)

To the South only one conclusion was possible: Brown was the inevitable outcome of Republicanism. It mattered not that responsible northern men condemned John Brown and attempted to reassure their southern countrymen. Inundated too in the wave of hatred, revulsion, and fear sweeping over the South was the fact that responsible Republicans like Lincoln and Seward likewise repudiated Brown. The South could never have hoped to forge for herself the unity that John Brown had given her, literally overnight.

Everywhere across Dixie there was talk of disunion, of the impossibility of peaceful coexistence with fanatics bent on destroying the South. Long time southern radicals like Yancey, Ruffin, and Rhett were ebullient. At no time since 1850 had their prospects seemed so bright. Several southern legislatures--in Louisiana, Florida, and Alabama--passed resolutions declaring the election of a Republican President sufficient grounds for dissolution of the Union. South Carolina, prodded by her radical governor William H. Gist, called for a convention of southern states and dispatched a commissioner to Virginia to press for joint measures of defense. Mississippi sent her own commissioner to Virginia and readily accepted the plan for a southern convention. The legislators of Alabama, Mississippi, and South Carolina did more than approve belligerent rhetoric; they also voted money for military contingencies. By the end of the year drilling militia companies on the streets of many a southern village signalled

a new and dangerous determination in the South.

Georgia too was caught up in the hysteria. Brown's raid, said the Federal Union, "was a regularly concocted, and premeditated attempt of Abolition Fanatics to overthrow the Government, and emancipate the slaves. . . . We know they have indire[c]t encouragement from William H. Seward, Joshua Giddings, Horace Greeley, and other Republican leaders." "We regard every man in our midst an enemy to the institutions of the South," growled the Atlanta Confederacy, "who does not boldly declare that he believes African slavery to be a social, moral, and political blessing."

And Georgians, like many across the South, were acting on this conviction. The Savannah News reported that suspected "abolition sympathizers with St. Ossawatimie are being notified to migrate to more congenial [sic] regions, while in some instances they are provided with single rail-rode accommodations." "The torrents of insult and abuse heaped upon the South by the public speakers, preachers and presses of the North," continued the News, "are exasperating our people beyond forbearance."<sup>8</sup>

How Stephens reacted immediately to the Brown raid cannot be stated with certainty, but he no doubt agreed with his friend Toombs who denounced the Republicans from the floor of the Senate as "in moral complicity with the criminal himself." Over a year after the event Stephens rebuked the Republicans for showing "much sympathy" to "such

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<sup>8</sup>Craven, ibid., 305-11; Potter, Impending Crisis, 378-84; Nevins, Emergence, II, 102-12; Milledgeville Federal Union, 1 November 1859; Savannah Morning News, 26 November 1859.

exhibitions of madness." And after the war he wrote that the Republicans "avowed sympathy for John Brown" was proof "that the revolution was their real object."

The newly elected legislature of Georgia, almost three hundred strong, convened shortly after Brown's raid, and it responded swiftly to an angry message from the governor. On top of resolutions declaring Georgia's willingness to "enter any concert of action with her sister Southern States, which will secure their common rights under the Constitution in the Union, or if that be no longer possible, their independence and security out of it," the legislature, in a marked reversal of its previous policy, appropriated \$75,000 for revamping the state militia and making other military preparations.

Not only was the legislature concerned about Georgia's future safety, but also with the approaching presidential contest. More specifically, Cobb's supporters were now prepared to make a decisive move in his behalf. Exactly what Cobb was thinking is difficult to say. On the one hand, while still doggedly attempting to convince Stephens (and himself) that "Douglass is now out of the way" and "that policy requires the nomination of a Southern man," he was telling closer associates that "the days of the Union are numbered."<sup>9</sup> The truth was that Cobb lusted after the nomination for himself, and he was willing to play sharp politics to get it. The Union, with Howell Cobb as its President, would be safe enough.

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<sup>9</sup>Toombs quoted in Rabun, "Stephens," 550; AHS to Abraham Lincoln, 20 December 1860, in Stephens, Constitutional View, II, 269; ibid., 259; Coleman, ed., History of Georgia, 146; Howell Cobb to AHS, 14 November 1859, Stephens Papers, EU; id. to John B. Lamar, Cobb Papers, UG.

Accordingly, the Secretary's supporters in the legislature, perhaps two-thirds of that body, gathered at the close of their session on the night of 21 November 1859 and passed resolutions for a Democratic convention to meet in Milledgeville on 8 December to nominate delegates for the Democratic national convention in Charleston. On the next day, Governor Brown, who knew a thing or two about sharp politics himself and who no longer needed Cobb for reelection, countered this move with one of his own. He had the state Executive Committee issue a call for another convention, this one to be held on 12 March 1860, six weeks before the Charleston convention opened. Brown's move was unprecedented. Since 1842 it had been customary for the legislature to summon conventions, and as a rule these conventions had been composed largely of Assembly members.

The Cobbites had precedent on their side, but their unseemly haste had been all too obvious. And it was this haste that proved their undoing. The blatant attempt to ramrod Georgia's endorsement of Cobb for the presidency shattered the fragile unity Georgia Democrats had maintained until now. The legislative-called convention duly met on the eighth and proceeded to pass a series of resolutions. The first praised Buchanan for his swift reaction to the Harpers Ferry raid. The second pledged support for the Charleston nominee provided the party maintained the rights of the South in the territories and the principles of the Dred Scott decision. Last, but far from least, and not without acrimony, the assembled Georgians voted to support Cobb as the party's nominee at Charleston. It then drew up a slate of delegates and adjourned.



The close of this convention marked the beginning of full scale war in the state Democratic party. Fifty-two members of the legislature signed and published a solemn protest. Four of the appointed delegates refused to recognize the validity of their appointments, and in the ensuing weeks several counties across the state repudiated their nominees. Newspapers sprang to the attack accusing the convention of being "arrogant, presumptuous, and insulting to the body of the Democracy of the State."

Cobb's organ, the Federal Union, piously expressed its belief that the delegation already appointed would "discharge the duty assigned them" satisfactorily, but also pledged that it would put no obstacle in the way of the March convention. Georgia's vote at Charleston should be cast for a Georgian, it declared, and it did not care who: either Cobb or Stephens or Toombs. Now was no time to quarrel about men, the Federal Union continued; it was a time to work for party unity.

While the Secretary's editor was regaling his readers with this drivel, the governor was writing confidential letters to Stephens. He was, said Brown, "fully satisfied that the people did not have an opportunity for a fair expression of their will" at the December convention. The notice was so short that they had not time to act, he said. What should be done?<sup>10</sup> As Brown had already taken steps to chop off Cobb at the knees, the question was more than a trifle

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<sup>10</sup>Avery, History of Georgia, 107-08; Parks, Brown, 94-95, 98; Americus South-Western News, quoted in Augusta Constitutionalist, 15 December 1859; Milledgeville Federal Union, 27 December 1859; Joseph E. Brown to AHS, 29 December 1859, TSC Corr., 453.

gratuitous, but the governor never missed an opportunity to play up to Stephens' vanity.

It was probably inconceivable to Brown, a habitual grasper after power, that anyone so often spoken of as an ideal candidate for President as Stephens, could be indifferent to the prospect. The Executive Committee had effectively torpedoed Cobb's gambit thus leaving the door open for an uncommitted delegation to Charleston, which, if circumstances warranted might swing to Stephens. But Little Aleck was having none of it. Party unity was essential, he told Brown. The March convention should ratify the choices made in December and reappoint all of them. The governor hastened to agree that "it would be a great misfortune" for the party to divide on this delegate question, and professed himself willing to do anything to promote harmony. Well, almost anything. If the March convention failed to unite, he said, "I should doubt the propriety of re-appointing all of them "

While most of Georgia momentarily forgot its woes for Christmas, Stephens celebrated the season in his usual fashion--by enveloping himself in gloom. "The greatest happiness I see," he said, "is in work." Certainly he was deriving no happiness from the tangled state of affairs in either the country or the state. The House was embroiled in yet another of its vicious fights for the Speakership, and according to Martin J. Crawford, one of Georgia's representatives who kept Stephens informed about the goings-on in Washington, even the border state men, formerly so cool, now talked openly of secession. The situation in Georgia was almost as bad. Despite his repeated denials of any such aspirations, Cobb's enemies and his own friends persisted

in pushing Stephens' name for the presidency. Not unnaturally, the Secretary's partisans blamed Little Aleck for all of their woes.

"A majority of the friends of Cobb in this place," reported J. Henley Smith from Washington, "look upon you as moving heaven and earth to defeat him. Every bit of opposition to the Dec. convention whether by county meetings, newspapers, or individuals, is invariably ascribed to you." "Every one of them with a foolishness that is wicked . . . look upon you as an aspirant . . . --not so particularly for yourself, as against him."

From Cobb's point of view, of course, it was impossible not to see Stephens as an enemy, not to see him as a rival, especially when several Georgia papers (the Constitutionalist, the Columbus Times, the Atlanta Southern Confederacy, and the Atlanta Intelligencer) were endorsing the suggestion that the March convention draft Stephens. Although Cobb deprecated the divisions in the party on the one hand, he insisted on the other that allowing his enemies to triumph in March would be as fatal to him as an out-and-out defeat, and he was wielding his considerable political skills to prevent such a result.<sup>11</sup>

Cobb could not have known about Stephens' letter to Governor Brown. Nor could he have been aware of the steady, and none too subtle pressure Stephens' closest friends were exerting on him. Smith and Toombs, both in Washington and both with their delicate antennae carefully

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<sup>11</sup>Ibid., 5 January 1860, 454; AHS to LS, 29, 30 December 1859, Stephens Papers, MC; Martin J. Crawford to AHS, 13 December 1859, ibid., LC; J. Henley Smith to AHS, 29 February 1860, 10 December 1859, ibid.; Rabun, "Stephens," 553; Howell Cobb to James M. Spullock, 14 January, 13 February 1860, James Madison Spullock Collection, GSA.

tuned to any frequency transmitting signals of pre-convention intelligence, wrote Stephens often. From "the movements" he saw going on, said Smith, "you are to be our next president in spite of yourself. . . . I dont believe any thing can avert your nomination at Charleston." Toombs was more explicit--and more forceful:

Douglas will be strong in the Charleston convention. He cannot possibly be elected, but I think will nominate whom he pleases. His friends are very strongly for you and I regret very much if we are to continue the govm't. that you have taken the position not to accept. I think [it] very unwise of you and hurtfull [sic] to the country. I think you could be nominated, especially after the old fogies are done fighting their battle of weakness, for none of them have the strength.

Two weeks later Toombs again stressed that the Douglas people were behind Stephens if they could not get the nomination for themselves.

Linton, too, was plying his brother with rosy reports he had received. One Kentucky correspondent, he wrote, had averred that that state was not really for Breckinridge--the Vice President, a Kentuckian, and increasingly being touted for the presidency among some southern Democrats--but for Stephens. This correspondent, according to Linton, said that "it will be a great shame to Georgia if she don't present you when so many other States are only waiting for your own State to take the lead in your favor."

Stephens discounted the Washington rumors. "I have no feeling that any such feeling . . . exists," he told Smith. "And in second place I feel quite confident that it will not be when my views upon the subject are really understood." He could understand others' suspicions and distrust, he said. "But how I pity and commiserate

all such. Their eyes will be opened in due time."<sup>12</sup>

Part of the reason so many people entertained such suspicions of Stephens was because he had not unequivocally--that is, in writing--renounced aspirations for the presidency. True, he had written that letter back in August 1858 saying that he would rather be found on a list of suspected horse thieves than included among presidential aspirants. And since that time he had privately made his position clear to everyone who would listen. Not a single one of Stephens' friends doubted his sincerity, and his brother who knew him intimately said, "I feel well assured your mind is made up." Still, there had been no public letter.

The reason for this is not hard to discern. If Stephens had irrevocably removed himself from pre-convention speculations in Georgia he would have assured the triumph of Cobb and the administration. At the same time he would have crippled, if not killed outright, any chance that the Douglas southerners had of making inroads into the prevailing southern rights sentiment. These chances, even with Stephens silent, were slim, but they were better than none at all. Stephens' silence, then, was strategical. For all of his ill-considered (and irresponsible, almost perverse) posturing for southern solidarity, he remained just as opposed to an all-southern party as he had been in 1849-50. Southern rights were as dear to him as to anyone else in Georgia, but only

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<sup>12</sup>J. Henley Smith to AHS, 10 December 1859, Stephens Papers, LC; Robert Toombs to id., 26 December 1859, 11 January 1860, TSC Corr., 452, 455; LS to id., 7 February 1860, Stephens Papers, MC; AHS to J. Henley Smith, 17 December 1859, TSC Corr., 451.

within the Union, he believed, could they be secured. And to control the machinery of government, the South needed the northern Democrats, the last barrier that stood between her and the hated Republicans.

Even so, Stephens could not allow the March convention to nominate him. Permitting this, besides being against his express wishes, would have torn the state party assunder and rendered almost as terrible a blow to Douglas as Cobb's nomination would have. Several counties in the state were preparing to send Stephens delegations to Milledgeville. These men had to be muzzled. Little Aleck was careful, therefore, to write letters to two prominent delegates to the March convention, Jack Lane of Hancock and Dr. H. K. Casey of Columbia county. He told Casey that he did not want his name "connected with the proceedings of the Convention in any way." It was foolish for the South to be frittering away its strength by intramural fights over particular favorites for President:

I wish it distinctly known that I have no aspirations for that high office, none whatever. . . . I assure you I would not assume its great trusts if my own volition were all that were necessary to secure it. Its duties, cares anxieties and heavy responsibilities would with me far outweigh all fanciful honors that may be supposed to attend it.

Casey was to read this letter to the convention, instructed Stephens, if it were necessary to get the point across.<sup>13</sup>

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<sup>13</sup>Newnan Independent Blade, 10 February 1860, quoted in Savannah Morning News, 14 February 1860; Columbus Enquirer, 28 February 1860; LS to AHS, 12 February, 14 March 1860, Stephens Papers, MC; AHS to H. K. Casey, 9 March 1860, ibid., LC. It is interesting to note that on the day before the convention began, one of Cobb's most influential papers, the Milledgeville Federal Union, admitted that Stephens was not seeking the presidency. He suspected, wrote the editor, that there were men coming to the convention bent solely on

It was obvious into what sorry shape the Georgia Democracy had fallen when it convened in Milledgeville on 14 March 1860. Over three hundred delegates, representing 90 of Georgia's 132 counties, were present, and they immediately began a two-day wrangle that would have done a pack of dogs proud. Cobb's supporters initially had reason to take heart, for they succeeded in electing the presiding officer. But this was Cobb's last victory. Fully forty-seven counties, over half of those represented, repudiated the December convention, and at one point the anti-Cobb delegates withdrew and nominated their own slate for Charleston. Cooler heads, horrified at the prospect of unbridled warfare in the party on the eve of the Charleston convention, ultimately prevailed. The two wings reassembled and voted to combine this new slate of delegates with that nominated in December; it also imposed the unit rule on this enlarged delegation. A bitter debate then ensued over the resolutions, and Cobb's forces did their utmost to secure an endorsement for the Secretary.

It was not to be. Cobb had too many enemies; Stephens too many friends; and the southern rights men too little faith in either. The convention voted to send an uncommitted delegation to Charleston. Cobb had been killed off, but the Douglas men could hardly claim to

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creating confusion "and if the Convention does not follow their lead, try to disorganize and divide the party as much as possible. . . . Some of these men have, very suddenly and unexpectedly, become professed friends of Mr. Stephens, and against the advice and wishes of that gentleman, and his real friends, are urging his name upon the convention as a candidate for the Charleston nomination. Mr. Stephens has frequently, and decidedly refused the use of his name for that purpose to his real friends, and we have no evidence that he has changed his views on that subject." Milledgeville Federal Union, 13 March 1860.

have won. The pitiful condition of the state party was all too evident in the goulash of ingredients it was sending to Charleston: Cobb men, Douglas men, Stephens men, Brown men, and for spice, a generous sprinkling of ultras. Ere long, the pot would boil over.

Stephens was pleased with the convention's results. "I like the proceedings . . . very well," he told Linton. However, in scanning the papers he had seen no mention of either of his letters. "I wrote one to Dr. Casey which I expected him to read. This I suppose he did not do." Indeed, Casey had not. During the convention the anti-Cobb forces had found it expedient to withhold Stephens' letter. Little Aleck's name had been used freely--Douglas, if he could not get the nomination, would support Stephens, it was alleged. Keeping such rumors afloat kept the anti-Cobbites together. The opposing forces had been almost evenly matched; there was no sense in confusing anybody with an excess of candor.

Unlike his fanatically loyal supporters, Stephens was hardly weighing his own chances at Charleston. The March convention, he thought, had cleared the way for Douglas' nomination. At any rate, this is what he told Samuel J. Anderson, one of several odd characters he habitually corresponded with. (Anderson, who had reached the pinnacle of his career when he had served for a day as Secretary of War ad interim in Fillmore's cabinet, was a Georgian who had taken up residence in New York. He was a real eccentric, a nineteenth century hippie: never able to hold a job, an atheist, a dabbler in politics and literature. Eventually, in 1874, after three previous failures, he would succeed in killing himself.) His only fear, Stephens continued, was that



"prompted 'by the Caliban of the White House,'" Cobb would be persuaded to bolt the party. A Tennessean who had spoken at length with Little Aleck shortly after the convention reported to Douglas that "he is as outspoken for you as I am. . . . He thinks you are the only man that can be elected."<sup>14</sup>

Stephens' enjoyment of Douglas' "victory" at the convention was short lived, however. Cobb's friends raised an immediate ruckus. The defeat of their champion, they charged, had been engineered by the devious little sage of Crawfordville. Stephens no aspirant? sputtered the Cassville Standard. "Such chaff may answer to stuff young gulls, it can deceive no sane man for a moment." Stephens' name was also high on the long list of known enemies that Cobb's closest associates sent to the Secretary in Washington. The very number of enemies they named, however, made it clear that Stephens had hardly been alone in opposing Cobb. "Every combination was formed & brought to bear that could possibly be," fumed John B. Lamar. "McDonald, Warner, Stephens, Joe Brown, Iverson & Johnson & . . . the secret partners of the slave traders, & . . . opposition of every press in Georgia . . . south of Athens . . . except the Fed. Union." Other Cobb men added still more names: Toombs and Solomon Cohen, "the damned Jew" of Savannah.

The ragings of the Cobbites merely added to the din already being raised by the Opposition. It was perfectly clear to these men

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<sup>14</sup>Avery, History of Georgia, 109-10; Simpson, Cobb, 135-36; AHS to LS, 16 March 1860, Stephens Papers, MC; Parks, Brown, 100; S. A. Anderson to Stephen A. Douglas, 20 March 1860, quoted in Milton, Eve of Conflict, 413; Thomas Dyer to id., ibid., 413n.

exactly what had happened at Milledgeville: "the Stephens alias Douglas Democracy won the day." The state had backed off from the sound constitutional principles that had been established in December (i.e., at least a veiled endorsement of positive protection for slavery in the territories) and was given over to a contemptible squatter sovereignty candidate. As if it might have found hope in the Democracy had it acted differently, the editor of the Rome Courier announced: "There is no hope in the Democratic party. It is demoralized--Douglasised."

The Opposition editors did not excuse Stephens, of course. Little Aleck, they charged, wanted the nomination for himself (if not for 1860, then for 1864, the Chronicle ingeniously argued). But a Stephens candidacy would be as bad as a Douglas one. The time had come for the people to free themselves from "the dictation of mere party tricksters." What was needed was a "Constitutional Union party, based upon a sound, unequivocal declaration of our constitutional rights as declared by the Supreme Court."<sup>15</sup>

Stephens was upset by all the abuse he was taking. Charges that he had headed the opposition to Cobb were "utterly groundless," he said.

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<sup>15</sup>Cassville Standard, quoted in Rabun, "Stephens," 555; John B. Lamar to Howell Cobb, 17 March 1860, Cobb-Erwin-Lamar Papers, UG; John Lumpkin to id., ibid.; J. M. Spullock to id., 18 March 1860, ibid.; Rome Courier, 20 March 1860; Augusta Chronicle and Sentinel, 18, 27 March 1860; Columbus Enquirer, 27 March 1860. One of the reasons the Opposition editors attacked Stephens with such a vengeance was because they realized his vote-getting potential among their followers. "I have heard a number of bitter Americans say they would willingly support . . . Mr. S," wrote one Opposition man. "I would be willing not to vote for another President, if I could be permitted to cast 100 or 1000 votes for Mr. Stephens next Presidential election." S. McJunkin to J. Henley Smith, 10 March 1860, J. Henley Smith Papers, GSA.

Indeed, his accusers did not know all he had done "to harmonize that opposition." Had his own name been substituted for Cobb's, he thought with his usual modesty, "a large majority" would have supported him, but he did not wish it. Several of his own friends had voted for Cobb for just this reason. "The truth is Mr. Cobb is not the choice of the Democracy of Georgia," Stephens concluded, "not as between me and him but as between me and any other prominent man of the party."

These remarks Stephens wrote to a friend. They were not entirely candid, for he could have hardly been "surprised" (as he claimed) by Cobb's defeat. On the other hand, he was "mortified" by having to shoulder all the blame for it, especially since he liked Cobb personally and would have gladly supported him had he been the state's choice. Most galling of all, however, were the charges that he and Douglas had arrived at some secret understanding. And he was irritated enough by this to write a long letter to James Sledge, the editor of the Athens Banner, Cobb's hometown organ.

He was indignant that anyone could so misunderstand his character and regard for honor as to suspect him of making a deal with Douglas, he told Sledge. For at least the hundredth time he denied aspirations for the presidency. He had been "exceedingly annoyed" that his name had been so freely used in the convention. He freely admitted his friendly relations with and regard for Douglas, "an able & safe man upon all questions of any political importance," but denied being anyone's partisan. It would be disastrous for the party to be disrupted at Charleston. The efforts of all good men should be directed towards saving the party, not towards championing individual favorites.

As for Cobb, he said, he had been "perfectly willing" that he be nominated, and he doubted if anyone would give him "more cordial support" than himself.

None of this was for public consumption, he told Sledge:

In regard to my public declaration of my unwillingness to accept a nomination if tendered . . . you must upon reflection see the impropriety of such a course. I should but render myself a proper subject of severe criticism if not general ridicule by such a declaration. Such an announcement from one having not the remotest prospect of a nomination as is the case with myself could but be looked upon as the grossest exhibition of personal vanity and presumption upon the record.

Stephens held resolutely to this stricture, even after Sledge entreated him to allow the letter's publication so as to clear the air with Cobb's people. Little Aleck did allow private circulation of the letter in Washington though. Smith reported that Cobb's friends in the capital, led by the Secretary himself, "are at last doing you . . . justice."<sup>16</sup>

While the Georgia democracy cracked at the seams, the country did likewise. Back in January Stephens had written disgustedly of how little the people seemed to be concerned with what was happening in Washington. Nobody he had talked to "for weeks or months" seemed excited about public affairs. Smith detected the same feeling in the capital itself. "I really believe the whole South care but very little what becomes of Congress, the government, or the Union," he said.

This was an exaggeration, of course, but Congress and the government were certainly giving the people little reason to be interested.

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<sup>16</sup>AHS to J. Henley Smith, 18 March 1860, TSC Corr., 466-67; id. to James Sledge, 25 March 1860, Stephens Papers, LC; James Sledge to AHS, 26 March 1860, ibid.; J. Henley Smith to AHS, 3 April 1860, ibid.

The hostility between northerners and southerners had become so pronounced as to practically paralyze the government. It took the House nine weeks of acrimonious balloting to elect its Speaker. So strained had personal relations become among legislators that fisticuffs occurred frequently; it was common practice for members of Congress to go armed to their work. The strain was beginning to tell on men of all parties, but especially on Democrats. The Republicans, on the other hand, reported Toombs, "are stern, confident and defiant" and managing their side of the Senate with "ten times" the skill of the Democrats. The situation in the House was much the same. "This House . . . is a magnificent failure," said Martin Crawford. "There is no man who can (on our side) either lead coax or drive the members of the Democratic party. . . . I am thoroughly disgusted and worn out with being a member of Congress. And [Toombs] too feels very much that way."<sup>17</sup>

Bob Toombs had already made his feeling perfectly clear. He was never a man to allow sweet reasonableness to stand in the way of his temper, and on 24 January 1860 he treated the Senate to one of his typical outbursts, a speech more radical than anything he had uttered since 1850. The address was a heated attack on the "plain, open, shameless, and profligate perfidy" of the Republican party: for its passage of personal liberty laws, for its denial of southern rights in the territories, and for its inciting the slaves to revolt. "This coalition is unfit to rule over a free people," he roared, "and its

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<sup>17</sup>AHS to J. Henley Smith, 5 January 1860, J. Henley Smith Papers, GSA; J. Henley Smith to AHS, 14 January 1860, Stephens Papers, LC; Robert Toombs to id., 26 December 1859, TSC Corr., 452; Martin J. Crawford to id., 14 March 1860, Stephens Papers, LC.

possession of the Federal Government is a just cause of war by the people whose safety is thereby put in jeopardy." Toombs had some pointed advice for his fellow Georgians: "Never permit this . . . Government to pass into the hands of the Black Republican party. . . . Defend yourselves, the enemy is at your door. . . . meet him at the doorsill, and drive him from the temple of Liberty, or pull down its pillars and involve him in common ruin."

Lost amidst all these flaming passages of resistance was Toombs' pledge to labor for southern security within the union until all hope was gone. It was lost, that is, to most men. Stephens, however, thought the speech "exactly on the right line. . . . in better tone, temper, and . . . with less impulse of bare passion than any speech I have ever seen from him." Stephens knew Toombs well, and perhaps because he had chosen to concentrate on "the true national patriotism [the speech] breathes throughout," he failed to notice how far his friend had drifted from his own ideas. Bob Toombs, it was clear, would disrupt the Union if a Republican were ever elected President. Not only was the Union disintegrating--so were fast friendships.

For the present, however, Toombs was as much involved in attempting to keep the Democratic party together as Stephens was. Unfortunately, theirs was a hopeless task. A few days after his Georgia colleague's speech, Jefferson Davis introduced into the Senate a set of resolutions, approved by the administration, and designed to crush the political life out of Douglas forever. At the heart of the seven resolutions was the assertion that neither Congress nor the territorial legislature possessed the power to exclude slavery from the

territories, and that it was the duty of Congress to provide "needful protection" for slave property there if the judiciary could not enforce its ruling.

Davis' resolutions were intended first and foremost as a party-binding test. Douglas' squatter sovereignty doctrine was thus to be formally stricken from the list of orthodox Democratic tenets, and the party lined up foursquare behind the extreme southern position. The move was transparently political, and men like Toombs who wanted above all to retain the good will of northern Democrats fought it vigorously in the party caucus. It was "folly," said Toombs, "to raise . . . such issues now." True, the Court had ruled in the South's favor, but the issue was moot. It might never come up. The Douglas haters were behind this foolishness, and although Toombs wanted Douglas defeated at Charleston, he certainly did not desire him and his friends crippled. "Where are we to get as many or as good men in the North to supply their places?" he asked plaintively. Toombs was not by any means the only southerner who thought this way, but his and other's efforts in the caucus were unavailing. The congressional Democrats approved the Davis resolutions.<sup>18</sup> A showdown of crucial importance loomed at Charleston.

Toombs' favorite candidate for the nomination was Robert M. T. Hunter, a bland but solid Virginian, and only one of several southerners being considered by Democrats. Hunter's nomination would have pleased Stephens too. Indeed, in late February he told Smith that he

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<sup>18</sup>Toombs' speech in Cong. Globe, 36th Cong., 1st sess., Appendix, 88-93; AHS to J. Henley Smith, 4 February 1860, TSC Corr., 459; Potter, Impending Crisis, 403-04; Robert Toombs to AHS, 10 February 1860, TSC Corr., 461.

favored him "above all" for the nomination. Perhaps he was just being formalistic, for there is no evidence that he ever did anything to further Hunter's chances, and in the next breath he talked about how "cordially" he would support Douglas should he be nominated.

Douglas had made no secret of his preference of Stephens as his running mate. Many northwestern papers had, in fact, tacked Stephens' name on their mastheads below the Little Giant's. It was not the vice presidential rumors that disturbed Stephens. (He was probably secretly pleased.) As the Charleston convention approached Little Aleck continued to figure prominently in the public speculations about the top spot on the ticket, and this did not please him at all.<sup>19</sup>

Cobb's newspapers, not to mention the Opposition's, had continued their war upon him. Reluctantly Stephens decided to allow publication of his letter to Dr. Casey, the one he had expected to be read at the March convention. At the same time, he strongly reiterated his aversion to being considered for president to his own supporters. "I do not wish my name put in nomination at Charleston," he wrote to Henry Cleveland, one of the editors of the Constitutionalist and a delegate to Charleston. "I do not wish it presented by the Georgia delegation in the Convention. I not only do not wish it done but I protest against its being done. The presidency is an office I do not want."

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<sup>19</sup>Ibid., 11 January 1860, 455; AHS to J. Henley Smith, 24 February 1860, ibid., 463; Johannsen, Douglas, 741; J. Henley Smith to AHS, 29 February 1860, Stephens Papers, LC; Martin J. Crawford to id., 14 March 1860, ibid.; Waynesboro Independent, quoted in Savannah Morning News, 9 April 1860; Atlanta Confederacy, ibid., 14 April 1860.



The Stephens partisans were a persistent lot. What if the nomination were actually tendered? several asked. "'Sufficient unto the day is the evil thereof'," quoted Stephens in reply. He did not think it remotely possible, but under such circumstances he would follow the dictates of "my sense of duty at the time." He could imagine circumstances in which he would refuse a nomination, he said, "and yet a nomination might be made, that is it is within the range of possibility, but not within the limits of remotest probability under such circumstances that I could not decline without being greatly derelict in duty."<sup>20</sup> Clearly Stephens would have regarded such a "duty" as extremely distasteful, and this delphic statement was all the encouragement he ever offered his supporters.

The Democrats had never convened for even half as long as they did at Charleston--and would not again until 1924--and when the Charleston convention was over what was left of Andy Jackson's once proud party still had no nominee for President. Had the party deliberately set out to choose the worst place in the country for its convention, Charleston might well have been its selection. Its exotic and arresting sights, its Old World charm, its beautiful homes, and shaded walks barely compensated for its glaring deficiencies: the most radical citizenry in the South, abysmal accommodations for large numbers of people, and a convention hall that would have been crowded if only half the number of people that crammed it each day had been allowed in. Even the city's weather--alternately hot, rainy, and unseasonably cool--seemed

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<sup>20</sup>AHS to Henry Cleveland, 8 April 1860, Stephens Papers, DU.

to conspire during this last week of April 1860 to make the delegates as uncomfortable and belligerent as possible.

Very few of the delegates could have expected a tranquil convention. The party was on the verge of disruption. Unlike the congressional caucus, in which the southerners held the majority, the convention's majority belonged to Douglas. His people had the votes, and they were determined to secure the nomination for their champion. On the other hand, the Gulf states were just as fixed in their purpose: they would not abide a Douglas candidacy, and to preclude it they were determined to construct a platform that would embody the very antithesis of Douglas' popular sovereignty doctrine.

The southern radicals, so long eclipsed by the journeymen politicians in their state parties, had never been in such a position of tactical superiority. They had made the most of all the recent troubles, Kansas, Lecompton, and Harper's Ferry, to incite their less ultra countrymen to assume positions that would eventually insure destruction of the Democratic party, a necessary prelude to the accomplishment of their ultimate ends--the formation of a southern confederacy.

A few months before the convention, in February, Alabama radicals under the lead of William L. Yancey had managed to pass resolutions in their state party conclave that demanded enactment of the radical program: the national party must affirm in its platform the extreme southern position. The party must not only deny the power of Congress or of territorial legislatures over slavery in the territories, but it must also declare it the duty of Congress to pass laws protecting

the rights of slaveholders in the territories. If the national party refused to bow to these demands the Alabama delegation was instructed to bolt the convention. Alabama would not be alone. On the eve of the convention at a caucus of southern delegations, six other states (Louisiana, Texas, Mississippi, Florida, Georgia, and Arkansas) agreed to stand by her. The stage was set for the tragedy about to unfold.

The tragedy was played out in three acts that stretched over nine days, from 23 April to 2 May. The slave states, with the addition of Oregon and California, whose allegiance had been secured by liberal applications of administration patronage, controlled the resolutions committee, composed of one delegate from each of the thirty-three states. The convention had already broken with tradition by agreeing to formulate its platform before selecting its candidate. This proved to be its undoing. On Friday, 27 April, the resolutions committee, unable after several days of wrangling to agree, submitted three separate reports. The majority report embodied the Alabama platform; the minority of fifteen added to the Cincinnati platform the declaration that questions of territorial power over slavery were judicial, and that the party would abide by decisions of the Supreme Court in the matter. Benjamin F. Butler of Massachusetts, a man who lived his whole life as a minority of one, submitted a third report of his own that simply reaffirmed the Cincinnati platform.

The second act began with floor debates on the resolutions, the highlight of which occurred when Yancey, a renowned orator, took the floor amidst a storm of applause from the Charlestonians packing the galleries to argue for the majority report. He was eloquent, forceful--

and uncompromising. The South at last, he declared, would demand the full measure of her constitutional rights. Yancey was answered by blunt spoken George E. Pugh, Senator from Ohio, who perfectly epitomized the Douglasites, pushed to the limits of their patience and now to the very abyss of political suicide by southern demands. The South now insisted that they take the leap for the sake of southern constitutional rights. "Gentlemen of the South!" Pugh protested. "You mistake us--you mistake us. We will not do it."

And they did not. After a Sunday of furious negotiations the crucial vote on the reports took place on Monday, 30 April. By a margin of twenty-seven votes, 165-148, the Douglasites substituted the minority's report for the majority's--and six southern delegations, led by Alabama, took their promised walk. The next day these men were joined by twenty-six of Georgia's thirty-six delegates plus a scattering of others from the border states.

Like any well crafted drama this one had its climax in the central act; the closing act was anticlimax. The Democrats now met in two separate conventions. The rump of the original convention proceeded to the balloting, but Douglas, after fifty-seven ballots was unable to obtain the necessary two-thirds majority. The convention therefore adjourned, agreeing to reconvene in Baltimore on 18 June. There was nothing the bolters could do but follow suit. This turn of events was not what they had expected. They had anticipated overtures from the main convention, a compromise candidate, and reunion. The southerners, after adopting the Alabama platform, likewise adjourned

and agreed to meet in Richmond on 11 June.<sup>21</sup>

The southern Democracy, already seriously fragmented in several states, was thrown into absolute turmoil by the Charleston fiasco. Georgians, as was their custom, immediately solicited the views of all the state's leading men. What was to be done? Should the state send a delegation to Baltimore? If so, who should represent her? For the next few weeks the papers printed the replies. All of Georgia's revered leaders--Stephens, Toombs, Cobb, Governor Brown, and a host of others--all agreed that the state should be represented at Baltimore. Beyond this their opinions represented the whole spectrum of Democratic opinion, from the cool violet moderation of Stephens and Johnson to the flaming red defiance of Toombs and Iverson.

Little Aleck was naturally dismayed by the events in Charleston. He was perfectly satisfied with the Cincinnati platform, and would have demanded no more. Since 1850, he told J. Henley Smith, he had supported nonintervention. "I shall never change my views . . . so long as ink will not blush at human inconsistency." The trouble as Stephens saw it was in the "class of men . . . in power," men with "no loyalty to principle, no attachment to truth for truth's sake," who, heedless of the consequences, grasped for office, position, and power.

The letter Stephens produced for public consumption was less explicit on this point, but withal a sober appraisal of the situation.

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<sup>21</sup>Nichols, Disruption of Democracy, 296-308; Nevins, Emergence, II, 217; Montgomery, Cracker Parties, 238. Of the ten Georgia delegates who remained in the main convention, four (Hiram Warner, Henry Cleveland, H. R. Casey, and James Thomas) were staunch friends of Stephens. The rump of the Georgia delegation voted steadfastly for Douglas on all fifty-seven ballots.

the question in dispute was essentially juridical, he argued. How, after years of supporting nonintervention, the South could throw over this doctrine, was "exceedingly strange." Under nonintervention slavery would go where the people wanted it and where the natural laws of soil, climate, and population allowed it to go. "No act of Congress can carry it into any Territory against those laws, any more than it could make the rivers run into the mountains instead of the sea." When he wanted to be, Stephens could be almost as eloquent as he was persuasive. The betrayal of the South's northern allies offended his sense of justice; he appealed to his countrymen's sense of honor:

Why should we desire . . . any other platform . . . than that adopted at Cincinnati? If those who stood with us on it . . . are still willing to stand on it, why should we not be equally willing? For my life I cannot see, unless we are determined to have a quarrel with the North anyhow on general account. If so, in behalf of common sense, let us put it on more tenable grounds! These are abundant. For our own character's sake, let us make it upon the aggressive acts of our enemies, rather than upon any supposed shortcomings of our friends, who have stood by us so steadfastly.

Others had argued that slavery itself was in danger; Stephens had no such fears. Slavery rested upon "great truths . . . an impregnable basis" that could withstand all assaults from without. It was danger from within that really threatened the South and the nation. "We have grown luxuriant in the exuberance of our well-being and unparalleled prosperity," he warned, echoing the jeremiads of the Puritan divines. "There is a tendency everywhere, not only at the North, but at the South, to strife, dissension, disorder, and anarchy. It is against this tendency that the soberminded and reflecting men should

now be called upon to guard."<sup>22</sup> Stephens had bared his deepest fears: the thought of disorder and anarchy chilled him to the marrow of his conservative bones. In Stephens' mind even a threat to slavery, a threat which terrified and angered so many of his fellow southerners and which they discerned so clearly, paled by comparison. The Cassandra of Crawfordville had glimpsed the future, and the vision repelled him. He too discerned a threat--anarchy. And anarchy would destroy everything, slavery included.

Anarchy held no terrors for Toombs. For the first time in their long association Bob Toombs and Alex Stephens were diametrically opposed. Toombs, who had pledged in February to do everything in his power to promote party unity and who had labored to his "last extremity" against the Davis resolutions, had executed a 180-degree turn. From May 1860 to the end of his life Bob Toombs was the very embodiment of southern belligerence. His public letter was inflammatory. "Our greatest danger today," he told his fellow Georgians, "is that the Union may survive the Constitution. . . . Do not mistake your real danger--it is great. Look to the preservation of your rights." On the floor of the Senate he professed now to see a "terrible practicality" in the question of congressional protection for territorial slavery. If the South were refused this protection, let the Union be dissolved

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<sup>22</sup>Thirteen Citizens of Macon to Alexander Stephens, Howell Cobb, Robert Toombs, *et al.*, 5 May 1860, *TSC Corr.*, 471n.; AHS to J. Henley Smith, 8 May 1860, *ibid.*, 470; *id.* to Thirteen Gentlemen of Macon, 9 May 1860, Johnston and Browne, *Stephens*, 357-64. Stephens' letter received wide circulation in the North, and Douglas paid tribute to its author, "one of the brightest intellects that this nation ever produced; one of the most useful public men," by quoting it on the floor of the Senate. Rabun, "Stephens," 567.

"and the sooner the better."

Toombs' sudden reversal might seem mysterious at first blush. Actually it was characteristic of him. Mercurial, impulsive, and naturally aggressive as he was, Toombs had done well to maintain his balance until now. By the time of the Charleston convention he had simply lost what little patience he had left. He had come to believe that only a southern man on a "good" platform would be acceptable. By telegraph from Washington he had advised the bolt at Charleston, and was resolved now "to stand by the bolters and let things rock on."

Douglas' strength in the party, as Charleston had demonstrated, was still substantial, a fact Toombs could not abide. Intransigence, therefore, became his point of honor. "Mr. Douglas and his friends seem to act on the idea that our fear of Black Republican rule will make us submit to anything," he wrote to Stephens. "As to me he is mistaken." Rather than support the nebulous nonintervention formula and admit "weakness," Toombs demanded that Douglas accept the South's reading of the Dred Scott case. Even at the cost of "disaster & defeat" Toombs was determined to have his way.<sup>23</sup>

For the first time in months the Georgia Opposition had something to cheer about. The breakup at Charleston and the ensuing chaos in

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<sup>23</sup>Robert Toombs, to Robert Collins, et.al., 10 May 1860, TSC Corr., 475-77; Cong. Globe, 26th Cong., 1st sess., Appendix, 339-45; Robert Toombs to AHS, 5, 12, 16 May 1860, TSC Corr., 468, 477-78. At least one man attributed Toombs' reckless embrace of radicalism to the absence of Stephens' moderating influence on the Senator at Washington, an argument of some merit. J. Henley Smith to AHS, 18 August 1860, Stephens Papers, LC.



the Democratic party were events the Opposition found positively delightful. As usual they calculated only in terms of immediate political gain for themselves. National suicide, so long as it included the Democrats, was perfectly acceptable. "A dissolution of the Union," pronounced the Chronicle, "could be no worse than the continuance in power of that corrupt, demoralized, imbecile, extravagant and plundering organization, . . . the national Democracy." Just a few short months ago, even the Opposition would have hesitated to make such a statement. By June of 1860, however, talk of disunion had become as common as quotations of the cotton market in Georgia's newspapers. Even without the Opposition's irresponsible prodding, though, Georgia's crumbling Democracy was perfectly capable of managing its own dissolution.

There was little doubt that the party would send a delegation to Baltimore. What was at issue at the Democratic convention that gathered in Milledgeville on 4 June--the party's third convention in less than seven months--was the character of that delegation. Contests in some of the counties had been heated, and the convention itself was marred by rancor and turmoil unknown since 1850. Unfortunately the state's foremost "national" Democrat, Stephens of Taliaferro, was ill, unable to attend. His absence, wrote a distressed Hershel Johnson, left the conservatives "almost without an advocate, certainly without a Champion."

Even had Stephens been there, though, the chances of his selling his ideas to the fractious assembly would have been slim at best. For Little Aleck favored nothing less than the appointment of an entirely

new delegation for Baltimore, a delegation composed only of men who repudiated the Charleston bolt and its bastard offspring, the Richmond convention. Instead, by a vote of 298 to 41, the convention reappointed the original Charleston slate and instructed it to bolt again if the party refused to pass the Alabama platform. This was too much for Hershel Johnson; he led a bolt of his own from the Milledgeville gathering. This group drew up its own slate of delegates for Baltimore and passed resolutions affirming the Cincinnati platform and the Dred Scott decision.<sup>24</sup>

Stephens, although distraught by what had happened, could not believe that the South really intended to abandon nonintervention. "Thousands" of southerners, he thought, had been kept ignorant of Douglas' true position, and he hoped that the Baltimore convention would explain the doctrine. Douglas' position coincided exactly with his own. "He holds that all property, negroes and all, should stand upon the same footing in the territories." The only question at issue was how far a territorial legislature could go in discouraging one particular species of property. The Supreme Court was yet to decide this question--and it might never have to.

Little Aleck's hopes, feeble as they were, had flickered out by the time of the Baltimore convention. It would "blow up in a row," he predicted. Nothing but "bad passions" had instigated the Charleston bolt--"envy, hate, jealousy, spite," passions that "make devils of

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<sup>24</sup>Augusta Chronicle and Sentinel, 11 May 1860; Joseph L. Smith to J. Henley Smith, 28 May 1860, J. Henley Smith Papers, GSA; Hershel Johnson to AHS, 9 June 1860, Hershel Johnson Papers, DU; AHS to Dr. J. P. Hambleton, Hambleton Papers, EU; Phillips, Georgia and State Rights, 190.

of men." Unfortunately, although the bolters lacked the power to rule, they had enough to ruin--and this is exactly what they would do. One really did not have to be much of a prophet in June of 1860 to foresee this. For once, Stephens' predictions were perfectly accurate.

All the radical southerners required at Baltimore was a pretext to repeat their walkout. As determined as ever to crush Douglas--and just as outvoted in the convention--they found their excuse for bolting on the convention's fifth day, 21 June. Three states--Alabama, Louisiana, and Georgia--had sent two delegations, and the credentials committee had spent the first four days attempting to sort out the mess. When the convention voted to admit newly-elected Douglas delegations from Alabama and Louisiana--rather inexplicably it sustained the claims of Georgia's original delegation--a new walkout ensued. Led by most of Virginia's delegation, the southerners stalked out of the hall. By the time this bolt had ended, all or part of delegations from fourteen states had left. The bolters did not even wait until their scheduled meeting in Richmond to carry out their plan. Meeting in a separate hall in Baltimore, they nominated John C. Breckinridge of Kentucky for President and Senator Joseph Lane of Oregon for Vice President. The platform demanded congressional protection for slavery in the territories. The Richmond meeting, a few days later, merely ratified these proceedings.<sup>25</sup>

What remained of the original body (including now Hershel Johnson's Douglas delegation from Georgia) swiftly completed its work.

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<sup>25</sup>AHS to J. Henley Smith, 17 June 1860, TSC Corr., 481-82; id. to Richard M. Johnston, 19 June 1860, Johnston and Browne, Stephens, 365; Nichols, Disruption of Democracy, 312-18.

It nominated Douglas for the presidency on the second ballot and Senator Benjamin Fitzpatrick of Alabama for Vice President. Within a week Fitzpatrick, under severe pressure from his senatorial colleagues, refused to accept his nomination, and the Democratic Executive Committee named Hershel Johnson to replace him.

From the very beginning of the convention the name of Alexander Stephens had played a prominent, albeit backstage, role in the proceedings. The Douglas partisans made plain their esteem for the Georgian, and indeed, at one point Douglas offered to withdraw his own name in favor of Little Aleck's. The Senator's convention managers, however refused even to consider the idea. They were not about to forsake their man at this point; besides, the southerners themselves had only stiffened their resolve. None other than two Georgians--Toombs and Cobb--took the lead in denouncing Stephens among the delegates. (Cobb, of course, had approved the Charleston bolt, and had found it just as painless and expedient to repudiate nonintervention, a doctrine he had defended since its inception in 1848, and embrace the positive protection formula. Up until the last minute Howell Cobb never ceased to believe that in its extremity the party would turn to him as its saviour.) Stephens would be just as offensive as Douglas, they asserted. While Cobb dredged up Little Aleck's opposition to the Mexican war, a record that would cost the party votes in the South, Toombs harped on his erstwhile friend's poor health. Stephens suffered from a "want of blood in the head," said Toombs; he would never survive the campaign.

This illness, commented one of Stephens' bitter friends, struck

him as "a damned strange disease."<sup>26</sup> Had he reflected but a moment he would have realized that the southern Democracy was suffering from a malady much stranger. For the sake of an absolutely pointless abstraction, the "full measure of Southern rights," protection of virtually nonexistent property (the census of 1860 revealed less than a hundred slaves in all of the territories) in territories utterly inhospitable to slavery, the southern Democrats had put their party, the vehicle of their power and the bulwark of their rights, to the sword. For the sake of beheading Douglas, they had eviscerated themselves.

Irony capped irony. Utterly lost in the furor of carrying out the anti-Douglas vendetta at Baltimore was the fact that the Little Giant had all but abandoned his popular sovereignty doctrine. The Baltimore platform declared that the Supreme Court would be the final arbiter of the question of a territorial legislature's power over slavery, exactly the position maintained by James Buchanan.

It was quiet around Liberty Hall, still and hot like most Georgia Julys. The pace and rhythm of life there continued as it had unchanged for years: regular, slow, predictable, secure. It was comfortable in the shade of the oaks. The peaches were getting ripe.

The master of the house was at home, as he had been for several weeks this spring and summer. He was ill, suffering from dizzy spells

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<sup>26</sup>Hershel Johnson to AHS, 19 June 1860, Hershel Johnson Papers, DU; Stephen A. Douglas to William A. Richardson, 20 June 1860, Stephen A. Douglas Papers, *ibid.*; Johannsen, Douglas, 770; LS to AHS, 28 June 1860, Stephens Papers, MC.

that prevented his usual travels about the state on legal business. But Alexander Stephens was not too ill to recognize the sickness in the South, and he was never too ill to plunge into a pit of gloom. Indeed, it was from almost a bottomless pit that he now surveyed the political scene.

The southern people, those patriotic lovers of justice and the Constitution whom he had so often extolled, had deserted their principles, had lost their sense of justice, their devotion to truth, their patriotism. They had deserted him and every principle he stood for. Instead of heeding his advice they doted now on "prating demagogues . . . who croak upon the stump for Southern Rights, Southern Equality and 'down with the traitor Douglas.'" It was just such an ignorant mob that had crucified Christ, he wrote furiously. They were beyond the reach of reason. As far as he was concerned, the people could do as they pleased. He would have nothing to do with their "worrying, profitless, factious demagogical [sic] strifes."<sup>27</sup> For the first time in his life Little Aleck seemed to have surrendered himself totally to despair. With the battle raging around him, Achilles chose to sulk in his tent.

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<sup>27</sup>Nichols, Disruption of Democracy, 317; AHS to James P. Hambleton, 2 July 1860, Stephens Papers, LC.

## CHAPTER XVI

### "WE ARE GOING TO DESTRUCTION AS FAST AS WE CAN"

Before the Democratic split initiated at Charleston became irrevocable at Baltimore in mid-June, two other American parties held their own conventions. The first of these groups was an interesting, short-lived aggregation that called itself the Constitutional Union party. The Constitutional Unionists had the distinction in 1860 of being the only nonsectional "party" in the race.

Less a party than an ad hoc group of ex-Whigs and Americans who could abide neither the Democrats or the Republicans, Constitutional Unionists representing twenty-three states convened in Baltimore on 9 May 1860. The party, such as it was, was predominantly southern in complexion with its main strength in the border slave states where the Whigs and Americans had always been strong. As its candidate for President it nominated Senator John Bell of Tennessee; Edward Everett of Massachusetts, a distinguished Massachusetts lawyer, orator, and statesman, rounded out the ticket. Following the old Whig custom of presenting men rather than programs for the country's consideration, the party adopted an enigmatic platform endorsing the Constitution, the Union, and the enforcement of the laws.

One week later the jubilant Republicans convened in Chicago. The brand new convention hall, the Wigwam, constructed especially for this convention, seemed appropriate for a party that regarded itself

as the new wave, the agent of future American progress. With consummate shrewdness the Republicans eliminated all the possible impediments to widespread appeal in the North. They began by discarding the pre-convention favorite for the nomination, William H. Seward. The New York senator was too controversial, considered too radical by many. Salmon P. Chase, an Ohioan and another well-known possibility, was passed over for much the same reason. On the third ballot, and to the thunderous approval of the partisan Chicago galleries, the Republicans nominated instead Abraham Lincoln of Illinois, a moderate, and just about everyone in the party's second choice.

Mindful too of the disadvantages of one-plank platforms, the party rectified its error of 1856 by casting their net this time as widely as possible. Gone now was the strident reference to the "barbarism" of slavery; in its place the party pledged itself to oppose the extension of slavery and any reopening of the slave trade. The platform also specifically denounced John Brown's raid and promised no interference with slavery in the states. In addition to these adjustments on the antislavery issue the platform also contained endorsements of a homestead law, a transcontinental railroad, and (to the delight of Pennsylvania) a modest tariff.<sup>1</sup>

Springfield, Lincoln's hometown, literally roared with excitement. The Illinois Republicans mirrored the mood of the party. The scent of victory was in the air, and it got stronger by the day. A month later the Democracy split itself in twain. Thus was the stage set for the most crucial presidential election in the nation's history.

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<sup>1</sup>George H. Mayer, The Republican Party 1854-1966, 2d ed. (London, 1967), 66-70.



The stunning events of June left Little Aleck Stephens almost numb. His party, for which he had labored so assiduously, had been rent assunder. The outlook was gloomy in the extreme. For the life of him Stephens could not understand why Douglas was consenting to run with defeat almost certain. The only possible good that might come of his candidacy, Stephens thought, was his taking enough northern votes from Lincoln to throw the election into the House where Breckinridge would win the presidency. "What honor this will be to Mr. Douglas would be difficult . . . to show," he commented wryly.

Stephens was determined to have nothing to do with this campaign. In the first place, his health was very poor. And in the second, he had lost all faith in his fellow southerners. The present fever afflicting the South must simply run its course. Trying to talk reason with people thus afflicted was pointless. "Even at the very best" all he could hope for was a "profitless victory."

Sadly Stephens told Dick Johnston that he had foreseen all of these troubles in 1859. This was why he had left Congress. He had searched in vain for evidence of patriotism anywhere. "Exclusive selfishness and personal ambition had taken possession of all." And now things were much worse than he had expected them to be.

There was more than a little hindsight available to Stephens when he wrote these words, but his despondency was crushing. The consequences of the present campaign were only too clear: "ultimate disunion." And a deluded people, who formerly would have shrunk in horror at the very idea of revolution, "will as circumstances change be ready and willing for it."

And why? Why? Stephens kept returning to the question. All because of a trumped up war on Stephen A. Douglas. He might wonder about Douglas' reasons in accepting the nomination, but he had no doubts at all about his soundness on slavery. Here was a man, Stephens marvelled, who was safer on slavery than any man who had ever been President of the United States, a man who held the Negro inferior to the white, who believed the "great truth" that the Negro was not included in the Declaration of Independence, and who, at great political peril to himself, had expounded this truth in the North; a man, further, who believed slavery to be the Negro's normal condition in relation to the white race.

But Douglas also held that slavery ought not be forced upon people against their will. Suppose the idea to be wrong in theory, Stephens posited. "What great principle of the State Rights School . . . does he violate in holding it?" Stephens, a jealous guardian of such principles, could discern none. Natural laws were surer in their operation than anything man could impose, he reasoned. Therefore:

Is it not wiser & better more conversant with our republican institutions to let the people exercise this power even though they have it not under the Constitution than to withhold it from them? Is it not better . . . [to] let them exercise it ex gratia as a matter of favour--even though they could not do it ex debito justitiae or as a matter of right? . . . What harm or injury to us could possibly result from it? None whatever, for if the people want slavery under his ideas they can & will have it and if they do not no power on Earth will be likely to make them have it.

What a remarkable change Stephens had undergone since 1859 when he had lent his assistance to attempting to cram Lecompton down

Kansans' throats. But then the hounds of revolution had not been baying all over the countryside.

Stephens was sharing his gloom with all his usual correspondents. And evidently the tone of one of his letters to Hershel Johnson was so negative that Johnson doubted whether his friend would even vote for Douglas, much less campaign for him. The vice presidential candidate himself had no illusions about the Little Giant's chances. He considered the cause "hopeless," and anyone who thought differently was simply "visionary." And he realized too, that he was committing political suicide. The only reason he was running, he said, was to preserve at least a tiny fragment of the party in favor of nonintervention. He had hoped that Stephens "would consent to be an elector . . . at large, [and] make a few speeches," and was sad and disappointed at Little Aleck's resolve to stay out of the campaign.<sup>2</sup>

Stephens was swift to correct Johnson's misapprehension about whom he was voting for. In fact, he publicly announced his support for Douglas. Evidently Johnson had not been alone in wondering about Stephens' intentions. Henley Smith had reported rumors that Little Aleck intended to support Breckinridge. Stephens scoffed at the idea. "Never," he said, "could I do such a thing until I became as inconsistent and regardless of my public record and long cherished principles" as the radicals. Others might eat their words, Stephens wrote another friend, "but I do not feed upon such a diet." He was still positively

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<sup>2</sup>AHS to J. Henley Smith, 2 July 1860, TSC Corr., 483-86; id. to James P. Hambleton, 2 July 1860, Stephens Papers, LC; id. to R. M. Johnston, 5 July 1860, ibid.; Hershel Johnson to AHS, <sup>4</sup>July 1860, Hershel Johnson Papers, DU.

unbending in his resolve to remain aloof, however, and he explained why in a powerful and compelling metaphor:

The surest sign that a dog is going mad is to see him eat his own ordure; and this eating of words and old party principles is . . . a like sign of approaching rabies among the people. But goodbye. I am out of politics, and mean to stay out.<sup>3</sup>

More than once in the past few months Stephens had expressed his aversion to resuming his old profession. The grind of a campaign simply did not seem to have the allure it once did. On the face of it this campaign seemed like all the rest. Partisan newspaper scribblers still inked their pens in acid; their oratorical counterparts still sweated and shouted from stumps at almost every crossroads. But this campaign was different. This time the Union was at stake. And the arguments offered by the Breckinridge supporters, despite Stephens' scorn, were not without merit. The appeal of these men was to one of the basic characteristics of southerners, their highly developed, and exquisitely sensitive, sense of honor. Equality. Equality was what the South demanded, said the Breckinridge men. To accept Douglas' position that the people of a territory could shut out the southerner and his slaves from the common property of the nation before that people convened their constitutional convention (and thus assumed the only sovereignty capable of deciding what the status of slavery in the area would be) was unutterably odious. It was admitting inferiority; it

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<sup>3</sup>Ibid., 9 July 1860; Augusta Constitutionalist, 17 July 1860; AHS to J. Henley Smith, 15 July 1860, TSC Corr., 488; id. to Richard M. Johnston, 12 July 1860, Johnston and Browne, Stephens, 365-66.

was degrading; it was unthinkable because it was cowardly and dishonorable.

Popular sovereignty was, in fact, as bad as submitting to the Republicans with their heresy that the national government could accomplish what the population of a territory could not. But the Breckinridge men considered arguments against the Republicans to be almost below notice. Here was a group of fanatics, who, in complete disregard of the Constitution, the laws of humanity and God, and the principles of common decency, had pledged themselves as party to the destruction of southern society. Could the South in honor--not to mention sanity--accept the dominance of such a party in the national government? Tom Cobb, a god-fearing Christian, put it thus:

These people hate us, annoy us, and would have us assassinated by our slaves if they dared. I know there are good people among them, but I speak of the masses. They are different people from us, whether better or worse and there is no love between us. Why then continue together? No outside pressure demands it, no internal policy or public interest requires it.

Thus ran the Breckinridge argument in logic. On the emotional level it was just as strong, if not more so. For there its basic appeal was to fear and self-protecting anger and hatred. Thousands throughout the South found either one or both of these appeals irresistible.

But for thousands of others the appeals to a basic love of the Union or to political loyalties of years standing were even more compelling. Such was the case with the Douglasites like Stephens and Johnson, who rejected the logic of the Breckinridge position, and spurned with disgust its appeal to the baser instincts. And so too it was with the Bell men.

With their customary dexterity, the Georgia Opposition had flip-flopped into an adversary relationship with the Democrats. Only a few days before the Constitutional Union convention in May, the Opposition had endorsed the congressional protection position. Once their party had convened at Baltimore and nominated Bell on his high-sounding (but virtually undefinable) platform, the Opposition in Georgia began a silent retreat from the protectionist stance. The sudden and unblushing reversal naturally caused a few defections to the Breckinridge side. Savannah lawyer Francis S. Bartow, for example, and Cherokee county physician H. V. Miller both quit the party in disgust. But the bulk of the Opposition quickly made the transition from rabid southern rightists to almost unconditional unionists once the contours of the campaign took shape.

From the first, however, the Bell campaign throughout the South was schizophrenic. On the one hand, the Bellites sacrificed nothing to the Democrats in their detestation of Lincoln or in their vehement claims to being the true guardians of southern rights. But at the same time, the imperatives of political competition required that they castigate the Democrats, both as enemies of the Union and as fools for making congressional protection their sine qua non. Not unnaturally, as the campaign progressed the Constitutional Unionists began to discover virtues in the Douglas Democrats.

Ben Hill, the leading Constitutional Unionist in Georgia, provides an excellent example of the matamorphosis: in a widely published speech delivered at Macon on 30 June, Hill boldly proclaimed protectionism as the only safeguard for southern territorial rights.

By early October, however, he was labelling the policy "madness" and spearheading a drive to fuse the Bell and Douglas tickets in the state.

The Breckinridge Democrats, for their part, indignantly rejected the disunionist charges of their opponents. They were as devoted to the Union as anyone, they claimed. A vote for Breckinridge was a vote to preserve the Union, indeed, the only way to preserve it was by electing the man who demanded full protection for southern rights. By dividing the South, the enemies of Breckinridge were proving themselves the real enemies of the Union. A vote for Bell or Douglas, ran the argument, was essentially a vote for Lincoln.

Plausible as these arguments might have sounded, they made few converts among Breckinridge's opponents. Neither Douglas, vigorously stumping the country (he would make two forays into the South), nor the Bellites relented. Finally on 5 September the southern Democratic candidate emerged from splendid silence at Lexington to deny that he was a disunionist or that his party harbored any such people. And no less a personage that William L. Yancey undertook an extensive tour of the South to underscore his candidate's claims.<sup>4</sup>

The Breckinridge press, however--not to mention his most radical supporters--belied the Unionist label. With the situation daily looking more grim for the realization of their hopes, the Breckinridge press

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<sup>4</sup>T. R. R. Cobb to his wife, 11 October 1860, T. R. R. Cobb Letters, UG; Crutcher, "Georgia Parties," 87-97; on the essential consensus of the Constitutional Unionists and the Breckinridge Democrats, see John V. Mering, "The Slave-State Constitutional Unionists and the Politics of Consensus," Journal of Southern History 43 (August, 1977): 395-410; Ollinger Crenshaw, The Slave States in the Presidential Election of 1860 (Baltimore, 1940; reprint ed., Gloucester, Mass., 1969), 40-41; Michael P. Johnson, Toward a Patriarchal Republic: The Secession of Georgia (Baton Rouge and London, 1977), 13-15; Craven, Growth of Southern Nationalism, 341-42.

returned with zest to a repeat of last fall's fear campaign, on the same theme: the hellish machinations of the abolitionists to incite a slave revolt in the South. Great furor erupted over a reported slave insurrection in Texas, and grim vigilantes in several southern states dispensed "justice" to suspected incendiaries, white and black. "If such things come upon us with only the prospect of an Abolition ruler," wailed the Athens Southern Banner, "what will be our condition when he is actually in power?" Another Georgia paper trembled at the prospect "of vast hordes" of abolitionist agitators that would pour into the South if the Republicans won control of the government. The South would never submit to a Republican President.

The Breckinridge leaders in Georgia were hardly less outspoken. At the Democratic convention that met in Milliedgeville on 8 August to draw up the Breckinridge electoral slate, Toombs roared that he favored "open unqualified disunion" if the South were denied protection in the territories, a theme he returned to repeatedly on the stump for the next three months. If Toombs really believed that his man had any chance of winning the election, his private correspondence does not reflect it. Early in August, in fact, he told Henley Smith that the people stoicly anticipated the "probable downfall" of the government. "I hope they will continue in that temper until the time for action comes." Toombs, however, had about as much chance of promoting stoicism on the stump before a Georgia political crowd as he did of promoting the temperance pledge. Howell Cobb was more calculating, less excitable, but he too did nothing to allay fears or settle unrest. The Secretary returned to Georgia in August to campaign and publicly advocated



secession if Lincoln were elected.

Against the formidable array of talent mustered on behalf of Breckinridge in Georgia--all of the state's congressmen, its two senators, former governors Lumpkin and McDonald, all of Cobb's extended family, other influential politicians like Henry L. Benning, the two Colquitts, Bartow, and Joe Brown (who admitted the impracticality of protection but recognized the side with the strongest battalions)--the Douglas Democrats could claim Hershel Johnson, James Gardner, Augustus R. Wright, Eugenius Nisbet, and Hiram Warner, plus the support of only three major papers: the Constitutionalist, the Rome Courier, and Hambleton's Southern Confederacy. By any standard the forces were sorely mismatched, particularly with Stephens on the sidelines.<sup>5</sup>

And it seemed likely that Little Aleck would remain there. None of his friends' entreaties had budged him, and in late July he suffered a painful accident that promised to hobble him even if he did decide to campaign. Tripping over the rug at the doorway of Liberty Hall, Stephens had pitched headfirst down an eight-foot flight of steps, landing on his face in the gravel. The fall left ugly bruises and scabs on his face and pain in both his wrists and hands. The fall was not serious--given Stephens' constitution it could have been--but it did provide another excuse to avoid the canvass.

He was far from avoiding expressing his opinion on the subject

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<sup>5</sup>Athens Southern Banner, 6 September 1860, quoted in Crenshaw, Slave States, 104n.; Carrollton Advocate, 7 September 1860, quoted *ibid.*, 103; Milledgeville Southern Recorder, 14 August 1860; Robert Toombs to J. Henley Smith, 5 August 1860, J. Henley Smith Papers, GSA; Rabun, "Stephens," 576.

in his letters, however--even with his wrist and fingers hurting. He neither feared nor loathed Lincoln. Actually, he had as good as opinion of the Republican candidate as he did of the President:

I have no doubt Lincoln is as good safe and sound a man as Mr. Buchanan, and would administer the Government so far as he is individually concerned just as safely for the South and as honestly and faithfully in every particular. I know the man well. He is not a bad man.

Nor did Stephens fear for the safety of slavery. If the people were wise, he said, they would realize that slavery was much more secure in the Union than out of it. If they were not wise enough to see this, then what hope was there for more security out of the Union "under the head of those who control our destinies?"

Stephens had returned to his old and persistent theme. For months he had argued that sectional strife was due not to some inherent defect in the government or because of an "irrespressible conflict," but "out of the state of public opinion and the character of our public men North and South." He certainly had no expectation that the leaders of the South would prove themselves any more virtuous, unselfish, and patriotic at the head of a southern confederacy than they had been up until now. Worse, these same leaders would unleash the fury of the mob. "When the passions of men are once let loose, without control legal or moral, there is no telling to what extent of fury they may lead their victims."

Little Aleck had shuddered at this thought long before the Charleston convention--indeed he had spent a lifetime distrusting his own passions. By July revolution seemed infinitely closer, and Stephens had crystallized his many objections to the course of events into a

few telling phrases: "We have nothing to fear from anything," he wrote, "so much as unnecessary changes and revolutions in government. The institution is based on conservatism. Everything that weakens this has a tendency to weaken the institution."<sup>6</sup> The whole man, in three sentences.

It was unlikely, given the nature of his fears and his faith in his own abilities as a leader, that Stephens could or would remain passive in Crawfordville indefinitely. He did not. In late July and mid-August two events shook him out of his lethargy. The first of these was his brother's retirement from the Supreme Court bench. Muttering about the "divided sceptre" he had to share with the other judges and complaining about how tired he was, Linton resigned his seat. His retirement lasted about a week before he undertook an extensive speaking schedule for Douglas. With Linton Stephens on the stump, could Little Aleck be far behind?

Then, in August, and largely through the influence of Hershel Johnson, a group of Douglas Democrats met in Milledgeville to name its slate of electors. Stephens was chosen unanimously. He was not exactly pleased by the honor. He called it "a great embarrassment," and seemed miffed that his friends had disregarded his express prohibition against his being named. But once it was done, the choice, he realized, was between "my individual feelings" and the "principles which lie so near to my heart." This choice was none at all really; Stephens accepted an invitation to speak in Augusta. For one last time, the sage of Craw-

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<sup>6</sup>AHS to J. Henley Smith, 8 August, 10 July, 22 January 1860, TSC Corr., 490-91, 457-58, 487.

fordville would attempt to lead the way.

The news that Stephens had been named a Douglas elector immediately thrilled the Senator's Georgia supporters. Simply a letter from his pen, one ecstatic Georgian told Stephens, "will do an inconceivable amount of good." And from everywhere in the state--Thomasville, Social Circle, Atlanta, Cassville, Macon, Lexington, Marietta--and the country--Albany and New York City, Indianapolis, Greensboro, Montgomery, Memphis, San Antonio, Detroit--letters poured in requesting his services as a speaker.<sup>7</sup>

Stephens declined all invitations from outside the state. The crisis at home required his undivided attention. Fortunately, his health had shown remarkable improvement, and only a small scar on his cheek remained as a reminder of the fall. "I shall commence the circuit hoping to be able to go the rounds," he wrote.

The rounds began, appropriately enough, in Crawfordville three days later, where Stephens filled in for Linton who was unable to make his scheduled address. The speech to his neighbors was but a warm-up for his first real address of the campaign at Augusta on 1 September.

The Crawfordville speech had been a short, pithy defense of Douglas; the Augusta one was a patented Stephens extravaganza, three hours long. The press of excited humanity around the speaker's rostrum

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<sup>7</sup>IS to AHS, 23 July 1860, Stephens Papers, MC; Ambrose Spencer et al. to AHS, 17 August 1860, *ibid.*, LC; AHS to J. Henley Smith, 25 August 1860, *TSC Corr.*, 492; C. P. Culver to AHS, 18 August 1860, Stephens Papers, LC; a profusion of letters requesting Stephens to speak is found in *ibid.*, August-September 1860.

in City Hall Park made a stifling evening even more so. At one point Stephens had to sit down, exhausted, before going on. Patiently for almost thirty minutes the crowd waited, entertained in the interim by some "enlivening airs" from the local brass band.

What Stephens had to say, too must have been music to the ears of many in the audience. (Richmond county would give Douglas a plurality of forty-five percent in November.) His defense of Douglas and his platform was forthright and logical; his plea was for wisdom and reason. From the beginning he refused to minimize the extent of the crisis--it was grave.

One by one Stephens ticked off the objections to Douglas and turned them aside. First of all, he defended the regularity of Douglas' nomination, two-thirds of the votes remaining at Baltimore after the second bolt--all that was required by immemorial usage of the party, or by the Constitution, for that matter. Stephens next addressed the objections to the platform, arguing at length what he had privately many times: that there was no need for additional safeguards for the South, that the Cincinnati platform of nonintervention more than sufficed.

Then to the candidate himself. The burden of his defense of Douglas (which he buttressed by an interminable Douglas quote from the Congressional Globe) was that the Illinois Senator had many times defended the equality of the states in the territories, that he had often put slave property on exactly the same footing as any other kind of property there.

Stephens readily admitted that he differed with Douglas on the

power of territorial legislatures over slavery, but denied that it was of any vital importance. He could support Douglas despite this difference, Stephens said, because "practically, it amounts to nothing." It was not a point involving "either our equality in the Union, or honor as a people, or any principle essential to our future security and safety." No law of Congress, he reiterated, or of the territorial legislatures either would keep slavery from expanding to its natural limits, and he was perfectly willing to grant the people of the territories the "favor" of prohibiting slavery if they chose. This was simply self-government as it had been practiced since the dawn of the republic. "If these opinions make a man a 'squatter sovereign,' then I am one," Stephens said defiantly. "Nicknames will never drive me from the maintenance of sound principles."

But how could he support Douglas after differing so widely with him on Lecompton? In short, he answered, because Douglas acted from unsullied motives. For the first time publicly Stephens admitted how widely he disagreed with Buchanan--indeed, this difference "was much more radical on principle than" the one with Douglas. It had been "a great and radical error" for the President to require submission of the Kansas constitution to the voters--"in short, nothing but the old Missouri question in principle, revived again in a new form." Douglas had opposed Lecompton because of the mode of its submission, not because of its slavery clause. Stephens would not question his patriotism in that opposition. He had not then. He would not now.

Having dealt with the objections to Douglas, Little Aleck now turned his attention to his virtues--and they were many. He was a

strict constructionist, a state rights man. He was sound on slavery, and particularly on race, believing as did all the South that blacks were inferior, not citizens, and not included in the Declaration of Independence. And this was the man being castigated all over the South! "Was there ever blacker ingratitude, since Adam's first great fall, than such demonstrations against such a man?"

Finally Stephens arrived at the heart of his argument. He was weak now, scarcely audible; men had to strain to catch his words. But they rasped on their ears like those of Nestor on the Greeks' before Troy's walls. He would not question the motives of Breckinridge or Lane, or the patriotism of their followers, Stephens said. But "those who begin revolutions seldom end them." "The [Breckinridge] movement . . . tends to disunion--to civil strife--may lead to it--and most probably will, unless arrested by the virtue, intelligence, and patriotism of the people."<sup>8</sup>

Perhaps the prolonged applause that attended this speech in Augusta momentarily clouded Stephens' perception of reality, or perhaps he felt that old rush of adrenalin in being on the political stage again. For in the next few days Stephens indulged himself in unwonted optimism. During the week after the Augusta speech Little Aleck delivered four more in northern Georgia. Back home on the seventh, he wrote that "Douglas is gaining very fast in that section." And writing to Smith a few days later, he discerned "tendencies" for Douglas in the state, and they were growing. It was even believed,

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<sup>8</sup> AHS to William Hildell, 24 August 1860, Stephens Papers, PHS; Augusta Constitutionalist, 28 August 1860; speech in Cleveland, Stephens, 674-94.

he said, that Lincoln would be defeated, that the election would go to the House where Douglas stood a chance.

A week later Little Aleck had returned to normal. All he saw now was "gloom and darkness." "I have almost despaired of the Republic," he told Smith. "We are rushing rapidly to the brink of destruction! . . . Passion and prejudice rule the hour," he lamented. "Reason has lost its sway." But the arguments of the opposition were not unreasonable, at least to many an intelligent Georgian, and logic was as capable of moving men as prejudice. As usual, though, when Stephens appraised the opinions of others, it was from a mountaintop, with clouds obscuring the crowds below.

Once again his health had failed him. He felt "weak and debilitated," he told a northern friend, but even in this condition he continued his exhausting speaking schedule, from Atlanta to Savannah and points in between. More than once he was forced to stop speaking, sit down, and rest before continuing. It was a pathetic spectacle in a way, but not one without its heroic aspects. Daily, as returns from state elections in the North arrived, it became apparent that Lincoln would sweep the North. By the end of September Stephens admitted as much to a correspondent of the New York Herald. And after that? "I hold revolution and civil war to be inevitable," Stephens predicted. "The demagogues have raised a whirlwind they cannot control."<sup>9</sup>

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<sup>9</sup>AHS to William Hildell, 7 September 1860, Stephens Papers, PHS; id. to J. Henley Smith, 12, 15 September 1860, TSC Corr., 495-96; id. to Charles Lanman, 17 September 1860, Charles Lanman Papers, LC; Rabun, "Stephens," 579-80. That the election of Lincoln was inevitable was one thing, at least, that the Breckinridge and Douglas people agreed upon. But as to the results of an equally inevitable disunion, their opinions varied widely. Tom Cobb, a confirmed secession-



Terrible tidings from the North--of Republican triumphs in Pennsylvania, Indiana, and Ohio gubernatorial and congressional elections--shattered whatever optimism might have been left among Georgians. With sudden toleration, spawned by desperation, the Constitutional Union papers began to suggest a fusion of all Georgia parties behind one candidate in the hope of defeating Lincoln. For about two weeks the plan was furiously discussed in the Georgia press. Ben Hill gave it his blessing on 21 October, and Hershel Johnson, touring the North, did likewise. Both the Stephens brothers also favored the plan, although Alex was very skeptical of its success.

It was natural that the Bell and Douglas parties would favor the fusion scheme. As minorities in the state whose differences on policy and candidates were increasingly being subsumed by a shared fear of disunion, any straw, even one as flimsy as this one, was worth grasping. Just as naturally the Breckinridge camp refused to entertain the idea, viewing it as a plot to deprive their man of Georgia's vote. Fusion, scoffed the Breckinridge press, was nothing but an intrigue cooked up to put either Hill or Johnson in the U. S. Senate. One member of the state Executive Committee had the misfortune to express interest in the idea. He was promptly defrocked, and the party boycotted a scheduled meeting to discuss the plan with the other two. The whole scheme thus ingloriously collapsed.<sup>10</sup>

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ist, wrote that "if all the South would unanimously say 'we separate,' it would be as peaceably done as a summer's morn." T. R. R. Cobb to his wife, 11 October 1860, T. R. R. Cobb Letters, UG.

<sup>10</sup> Augusta Constitutionalist, 21 October 1860; Augusta Chronicle and Sentinel, 10, 20, 24 October 1860; Columbus Enquirer, 23 October, 6 November 1860; Pearce, Hill, 39-40; Hershel Johnson to

The certainty of Lincoln's election seemed to fire Stephens with new determination. The issue was no longer who would be President, but whether the Union would survive. Even the dark clouds in the North had enough silver around the edges to inspire some hope. The Democrats, Stephens noted, had retained enough seats in the House to keep it out of Republican control. All the more reason, he thought, that secession in the event of Lincoln's election would be groundless--the new President would be powerless to do harm.

The harm was not likely to be done by Lincoln, but by southern disunionists. And no one realized it better than Douglas. He was in Iowa when the bad news of the elections in Pennsylvania and Indiana reached him, and he resolved immediately to take his campaign to the South. "We must try to save the Union," he told his secretary. The Little Giant had no illusions; he was beaten and he knew it. But he still had faith in the basic good sense of the southern people, and it was to them he would appeal, over the heads of their leaders.

Once before this time, the Senator had ventured South during the campaign, to Virginia and North Carolina. At that time he had forcefully branded secession as treason; and he would do all in his power, he said, to insure enforcement of the law against disunionists. These remarks had raised a predictable storm in the Breckinridge camp, and the prospect of another visit from Douglas enraged them. Toombs predicted violence if Douglas dared repeat these statements in Georgia, and the Memphis Avalanche warned ominously of the "incendiary"

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AHS, 1 October 1860, in Flippin, Johnson, 144; AHS to LS, 14, 15 October 1860, Stephens Papers, MC.

soon to turn "his bloated visage" toward the South.

Stephens had already (in mid-September) urged Douglas to come to Georgia; it would change the minds of "thousands," he said. And even at this late hour the state's Douglasites were no less anxious for the Little Giant's visit, only now the peril to the Union was paramount. To insure that Douglas actually came to Georgia--some feared that he might change his mind--Linton Stephens was dispatched to Memphis to meet the Senator and escort him (via Huntsville, Nashville, and Chattanooga) to Georgia.

Little Aleck met Douglas in Atlanta on 29 October, and the next day introduced him to a crowd of 10,000 enthusiastic Georgians. His praise of Douglas was fulsome--he was a "gallant, noble, true-hearted man," Stephens said, who had done more than all northerners combined to defend the equality of the states and of all the citizens. The Senator returned the compliments, with interest. Back in June, he said, he had been willing to withdraw from contention for the nomination at Baltimore, and had advised his supporters to rally on Stephens. The crowd roared its approval.

Despite the apprehensions of some and the tight-lipped fury of others, Douglas completed his tour of Georgia without incident. Little Aleck accompanied him to his other two stops, Macon and Columbus, and delivered a speech in the latter city the day after his guest crossed over into Alabama. Characteristically neither of the two men had spared the secessionists in their speeches.<sup>11</sup> They had fought the

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<sup>11</sup>Johannsen, Douglas, 797-800; LS to AHS, 16, 31 October 1860, Stephens Papers, MC; Rabun, "Stephens," 584.

good fight, but now it was over. It was 6 November 1860--election day.

Two days later Stephens wrote resignedly to Linton. "Lincoln is elected just as I suspected it would be from the beginning." And then, with classic understatement: "I suppose we will have trouble." The returns were not in yet, but he was sure the state had gone for Breckinridge. For the moment Little Aleck was too dispirited to indulge in anything but bitterness. "Sometimes I think I will let them do as they please. I fear we are going to destruction any how, and that nothing can arrest our course."

Stephens was right about the vote tally in Georgia. Breckinridge had carried the state, but only by a plurality of the votes. The Kentuckian had received 51,889 votes (48.5%), Bell 42,886 (39.9%), and Douglas 11,590 (11.6%). Thus slightly over 51 percent of cracker voters had endorsed conservatism, or, alternatively, had refrained from endorsing secessionism, protectionism, or radicalism, or perhaps some other -ism known only to themselves. There are endless ways of construing election returns. What was most striking about these returns in Georgia was the persistence of long-standing voting patterns in the state. One hundred and sixteen of the state's 132 counties voted for the same party they had in 1856.

The traditional areas of Democratic strength in the north Georgia mountains, in the pine barrens of the southeast, and in the coastal counties near Savannah returned heavy majorities for Breckinridge. Bell ran poorly in the mountains, but won about 45 percent of the vote

in the middle Georgia Piedmont, an area where the Whigs had always been strong. And characteristically, too, Stephens country, the Eighth district, followed its traditional leader. All six counties carried by Douglas were located there. Douglas also won a plurality of the votes in the twelve-county district, while Breckinridge managed to poll only 22 percent there.

However interesting, these returns did nothing to alter the results of the election. Lincoln carried all of the free states except for part of New Jersey (which Douglas won)--more than enough to win in the electoral college. His popular vote (1,864,735) was only a little over 39 percent of the total for the country, however. The combined total of votes against Lincoln was 2,821,157, a substantial amount, which nevertheless, even had it been concentrated on one opponent, would not have changed the result. Lincoln's strength was strategically placed, where it won votes in the electoral college. Against one opponent he would have lost three additional states, but would have still won the election.

In the South Breckinridge won the electoral votes of eleven states; three border states (Tennessee, Virginia, and Kentucky) went to Bell; Douglas took Missouri. But again the popular vote totals told a slightly different story. Breckinridge's opponents polled 55 percent of the popular vote in the slave states. If the election of 1860 is regarded as a test on secession, then the majority of the southern people rejected the extreme remedy.<sup>12</sup>

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<sup>12</sup>AHS to LS, 8 November 1860, Stephens Papers, MC; Milledgeville Federal Union, 27 November 1860; Crutcher, "Georgia Parties," 108-09; Rabun, ibid., 585; Potter, Impending Crisis, 442-43. As no candidate in Georgia polled a majority of the votes the election

It remained to be seen whether this moderate mood would last. South Carolina was one state that could almost count its moderates on one hand. This state, which had lived for so long in the shadow of Calhoun and whose ghost still stalked its legislative halls, had had its fill of delay and temporizing. Thwarted several times by the refusal of its sister slave states to stand with them, South Carolina's secessionists were determined this time to brook no delay. "This state . . . will have to lead," wrote Laurence Keitt. "We must rely on ourselves in moving off." Keitt had stated the key tactical motif: it was speed. The southern radicals would have to move quickly to effect their purpose. Delay meant discussions, resolutions, proposals for southern conventions--tactics that had previously kept the Union intact by allowing consolidation of conservative strength.

So the haste with which the South reacted to Lincoln's election might have appeared unseemly under other circumstances. In November of 1860 the radicals had momentum. After all the years of threats and fulminations, and particularly the last few months of the most dire predictions of disaster should a Republican capture the White House, the conventions called by five cotton states (in a sixth, Louisiana, the governor summoned a special session of the legislature for the purpose of calling a convention) were almost forgone conclusions. Not nearly as certain was how these conventions would be constituted and who would control them. These crucial questions would be resolved in the series of elections taking place in December and early January.

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was decided by the legislature, which awarded Georgia's ten electoral votes to Breckinridge.

Lincoln's election "with its hideous deformities . . . stares us in the face," said the Rome Courier. "What shall be done?" There were countless Georgians in early November who were as baffled by the question as the editor. One was not: Governor Brown. The legislative session had opened on 7 November; on the eighth the lawmakers received a special message from the chief executive. Typically verbose (Brown never said in one word what he could say in ten), after a long litany of northern crimes against the South, Brown recommended that the state should immediately secede, and that the legislature should appropriate \$1 million for defense and call a state convention to deal with the crisis. The legislature quickly appropriated the requested funds, but Georgians were unaccustomed to acting hastily in such a crisis. The Assembly therefore formally requested twenty-two of the state's most prominent citizens to address them and offer their advice for the emergency. Naturally, Stephens was invited to speak.<sup>13</sup>

Little Aleck had spent the past few days brooding on the futility of further resistance. First the news of Lincoln's election, then Brown's message, then word from Savannah that that city had overwhelmingly passed resolutions favoring immediate secession. And from everywhere signs that a strange frenzy had taken hold of the people: minutemen

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<sup>13</sup>Keitt quoted in Craven, Growth of Southern Nationalism, 348; Rome Courier, 10 November 1860, quoted in Michael P. Johnson, "Secession and Conservatism in the Lower South: The Social and Ideological Bases of Secession in Georgia 1860-1861" (Ph. D. dissertation, Stanford University, 1973), 23-24; Brown's message in Allen D. Candler, ed., The Confederate Records of the State of Georgia, 6 vols. (Atlanta, 1909-11), I, 19-57; Thirty-nine members of the Georgia Legislature to AHS, 13 November 1860, Stephens Papers, LC.

companies being organized, suspected abolitionists being tormented, opponents of immediate secession being intimidated.

And perhaps even worse than the frenzy from Stephens' viewpoint were indications that sober-minded, formerly mild-mannered persons had succumbed to the secessionist argument. A Savannah woman, the wife of a clergyman and a very conservative person, put it thus:

I cannot see the shadow of reason for civil war in the event of a Southern confederacy; but even that, if it must come, would be preferable to submission to Black Republicanism, involving as it would all that is horrible, degrading, and ruinous. . . . we could meet with no evils out of the Union that could compare with those we will finally suffer if we continue in it; for we can no longer doubt that the settled policy of the North is to crush the South.

Such was the temper of one Georgia city.

The news from Savannah had fallen particularly hard on Stephens. Judge William Law, he had learned, formerly a "brestwork [sic] of conservatism" in the city, had shared both sentiments and the podium with Frank Bartow, a flaming secessionist. With the breastworks being overrun, disaster seemed inevitable. "So we go," Stephens wrote wearily, "I really apprehend that no power can prevent it. Our destiny seems to be fixed."<sup>14</sup>

Whatever his private feelings might have been, Stephens was anything but dispirited when he addressed the legislature on the night

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<sup>14</sup>J. R. Sneed to AHS, 8 November 1860, Stephens Papers, LC; Johnson, Patriarchal Republic, 19; Mrs. Mary Jones to Charles C. Jones, Jr., 15 November 1860, in Robert Manson Myers, ed., The Children of Pride: A True Story of Georgia and the Civil War (New Haven, Conn., 1972), 627-28; AHS to LS, 9 November 1860, Stephens Papers, MC. County secession resolutions are in Candler, ibid., 58-156.



of 14 November. He could not have been unaware of the importance of the speech he was about to deliver. The fate of the Republic, and certainly that of Georgia, might literally depend on his talents as an advocate this night.

Counsel for the opposition had already spoken their pieces. Judge Henry L. Benning had opened on the sixth, followed by Governor Brown on the seventh. Then on two succeeding nights, 12 and 13 November, the secessionists' heavy artillery had boomed. Tom Cobb spoke on the first night. A gifted jurist, known until now chiefly for his famous brother and his erudite authorship of An Inquiry into the Law of Negro Slavery, Tom Cobb was also blessed with moving eloquence. His address was unbridled passion. The South had been "robbed," "threatened," "abused," and "vilified," he said. She had been denied all voice in electing the President; she was being bound "in a vassalage more base and hopeless than that of the Siberian serf." Lincoln was not to be trusted, even on his oath. Again and again he returned to his theme: no delay--strike now--don't wait--secede now. Bob Toombs had added his majesterial appearance and baronial voice to Cobb's on the thirteenth. Delay invited ruin, Toombs contended. "Strike, strike, while it is yet time," he exhorted. And if resisted, "make another war of independence.

It was to legislators, then, who had been aroused to rafter-ringing huzzas by these vintage southern histrionics that Alexander Stephens addressed himself. His was not to be the voice of passion, but that of reason. And his message had a majesty of its own. The smokey chamber, eerily yellow in the sputtering gas light, was jammed

to capacity, buzzing with anticipation. As the last words of introduction died, a crescendo of applause greeted the familiar figure that strode deliberately to the podium. On the dais behind the speaker a stern-faced Toombs folded his arms and waited. "My fellow citizens. . . ." The buzz became a hush, and the shrill voice enveloped the chamber.

He had come, Stephens said, "not to appeal to your passions, but to your reason. . . . to your good sense, to your good judgment." "Let us, therefore, reason together." The argument that Stephens now led his audience through was familiar to most of them, only now it had ceased to be an academic exercise, an opportunity for editors to stretch their imaginations. The peril so long potential was actual; form had taken on substance. The hall was as quiet as death.

As was his wont, Stephens had constructed a compelling argument. He appealed first to their hearts, to tradition. "We are all launched in the same bark," he said. And it had been a trustworthy craft, which, after all the storms and tempests of the past seventy-five years, was still afloat. "Don't abandon her yet," he pleaded. "Let us see what can be done to prevent a wreck."

"The ship has holes in her," came a voice from the crowd.

Stephens quickly agreed—"But let us stop them if we can; many a stout old ship has been saved with richest cargo after many leaks; and it may be so now."

The South had hardly been blameless for the fearful result in the election, Stephens reminded them. Had the South stood firm on the old platform at Charleston, Lincoln, who was obviously elected by a

minority, would have been defeated. Hastiness and rashness now would ill become men who brought an evil on themselves.

Stephens had reached the core of the argument. The election of Lincoln was not sufficient grounds to break up the Union. His election had been constitutional. Stephens' appeal now was to southern pride, a pride which had always boasted of its devotion to the fundamental law. How could the South leave the Union when the Constitution had not been violated? "If all our hopes are to be blasted, if the Republic is to go down, let us to be found to the last moment standing on the deck with the Constitution of the United States waving over our heads. Let the fanatics of the North break the Constitution." Do not, he begged, let history record that the South had committed the aggression.

If the constitutional election of a President was insufficient provocation for secession, the fear of anticipated evils was even more so; it was time enough to strike when the Constitution had been violated. To do so sooner "would be injudicious and unwise." Besides, even fear of anticipated evils was groundless. Lincoln would be "bound by constitutional checks . . . powerless to do any great mischief." And he proceeded to name a couple of the most obvious: the Republicans would not control either house of Congress. The Democrats, thanks to gains in several northern states, had a majority of almost thirty in the House, of four in the Senate.

Moreover, the approval of the Senate was required for the cabinet officers, and if it so chose the Democratic Senate could by refusing to concur with the President's selection compel Lincoln's choice. Since the Senate had to concur in Lincoln's choice of cabinet members,

it was even conceivable that a southerner could hold office under him. "Should any man, then, refuse to hold office that was given him by a Democratic Senate?"

"If the Senate was Democratic," snapped Toombs, "it was for Breckinridge."

Stephens riposted cleverly: "Well, then, I apprehend that no man could be justly considered untrue to the interests of Georgia, or incur any disgrace . . . to hold an office which a Breckinridge Senate had given him, even though Mr. Lincoln should be President."

The hall exploded into prolonged applause--Georgians of all political persuasions loved this sort of verbal cut and thrust. Stephens impatiently silenced the hubbub. He was addressing their good sense, he said, with calmness and dispassion. Let those who disagreed with him speak later.

Toombs minded the stricture for about five minutes. Stephens was in the midst of discussing one of his most persistent themes, the glories of the Union. Where on earth, he asked, was there to be found a government better than the present one?

"England," Toombs interjected.

"Next best, I grant," Stephens replied, but the United States had improved upon it. Compare the blessings of liberty enjoyed here, he suggested, with Turkey, Spain, France, Mexico, South America, Ireland, Prussia, China. One of the evils besetting Americans was a "surfeit of liberty, an exuberance of priceless blessings for which we are ungrateful."

None of the evils mentioned yesterday by his friend Toombs,

Stephens continued--navigation laws, tariffs, fishing bounties to New England--could possibly outweigh the benefits Georgia had derived from the Union, that the South had derived from the benign and beneficent operation of the government. Defects there certainly were in the government, he conceded, but even in spite of these Georgia had grown prosperous. Her wealth had doubled since 1850; on every side were signs of "prosperity in everything--agriculture, art, science, and every department of progress, physical, moral, and mental." Would the South really risk all of this? He shuddered to think so:

I look upon this country with our institutions as the Eden of the world, the Paradise of the universe. I may be that out of it we may become greater and more prosperous; but . . . I fear if we yield to passion, and without sufficient cause shall take that step, instead of becoming greater, more peaceful, prosperous, and happy--instead of becoming gods, we shall become demons, and at no distant day commence cutting one another's throats.

Stephens had finally arrived at the point to advise the legislature. And obviously he could do nothing in the atmosphere of crisis and hysteria but counsel delay. Secession was a last resort; "let us use every patriotic effort to prevent it while there is ground for hope."

Admittedly, great dangers might arise from Lincoln's election, but "wait for the act of aggression." The Georgia platform of 1850 was perfectly explicit, and perfectly applicable. If the Republicans should exclude southerners and their slaves from the territories by congressional action or weaken the Fugitive Slave law, these would be acts of aggression justifying action by Georgia.

As for northern states presently violating the Fugitive Slave statute, Georgia was entitled by the law of nations to reprisals. A

list of Georgia's grievances should be drawn up and transmitted to the faithless states, he suggested, and if no redress were forthcoming, the legislature should provide for seizure of northern property.

Let a convention of the people be called, Stephens urged; "the legislature is not the proper body to sever our Federal relations." Sovereignty belonged to the people, and it was they who should decide on such grave questions as what course to follow. "Our constitution came from the people," Stephens told the lawmakers. "They made it, and they alone can rightfully unmake it."

Toombs, from behind the podium, interrupted again. "I am afraid of conventions," he boomed. (What Toombs really meant was that he was afraid secession might not carry if time were given the people for reflection, that calm deliberation would allow time for the people's conservative instincts to assert themselves.)

"I am not," Stephens responded. The only way such great fundamental questions could be answered was by representatives of the people. Only don't let the question be presented as Toombs had suggested-- "Will you submit to abolition rule or resist?"

Toombs broke in again. "I do not wish the people to be cheated."

And for his rudeness he got a barb of Stephens' quick wit for his troubles. "Now, my friends, how are we going to cheat the people by calling on them to elect delegates to a convention to decide all these questions?" The question his honorable friend was propounding smacked of unfairness, "not to say cheat. . . . Is putting such a question to the people to vote a fair way of getting an expression of the popular will on these questions? I think not. Now, who in Georgia is

going to submit to abolition rule?"

The question was so patently ridiculous that it evoked a guffaw from the assembly. Toombs attempted to recover. "The convention will," he said.

Stephens turned serious again. "No, my friend, Georgia will not do it. The convention will not recede from the Georgia platform. Under that there can be no abolition rule in the General Government." It was only the "excessive ardor" of his honorable friend Toombs that accounted for his readiness for violence. "When the people in their majesty shall speak, I have no doubt he will bow to their will, whatever it may be, upon the 'sober second thought.'" .

But if Georgia decided to go out of the Union anyway, Stephens quickly reminded his audience, "I shall bow to the will of the people. Their cause is my cause, and their destiny is my destiny."

"I am for exhausting all that patriotism demands before taking the last step," Stephens said in summary. A convention of the people should be called; South Carolina and the other southern states should be invited to a conference; one additional plank (demanding the repeal of the Personal Liberty laws) should be added to the Georgia platform. If all these measures failed, then so be it. "We shall at least have the satisfaction of knowing that we have done our duty and all that patriotism could require."

The irrepressible Toombs led the assembly in three cheers for Stephens when he resumed his seat. "We have just listened to one of the brightest intellects and purest patriots that now lives," he shouted.<sup>15</sup>

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<sup>15</sup>Speeches of Cobb and Toombs in Candler, *ibid.*; Stephens'

Had not Stephens spoken, the legislature might have seriously considered stampeding Georgia out of the Union itself. This, at least, was Hershel Johnson's opinion, but Johnson was as overwrought by events as Stephens was. (Perhaps even more so--being Douglas' running mate had not been a pleasant or easy task. Johnson had been heckled and insulted all over the state. Macon's citizens had hanged him in effigy.) Both he and Ben Hill also argued for delay, Hill in a stirring speech before the legislature the night after Stephens, and Johnson in a public letter. Three days after Stephens' address the legislature passed a bill calling a state convention. It was to convene on 16 January 1861; the election for delegates would take place on 2 January.

Back home in Crawfordville Little Aleck was soon engaged in sifting through the mountain of mail that arrived in the wake of his speech. It had produced an extraordinary effect upon the hopes of the country's conservatives. Virtually every important big city northern daily printed it in full. Even the London Times published most of it. The letters came from all parts of the country, from cities, towns, and villages: Newark, Boston, Memphis, Chicago, Cincinnati, Philadelphia, New York, Austin, Savannah. . . . For weeks they arrived from citizens of every degree, high and low, and from every party too. In Washington Douglas praised the speech to the skies. If the country would but heed Stephens' advice, he said, all might yet be well.<sup>16</sup>

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speech most conveniently located in Johnston and Browne, Stephens, 564-80, or Cleveland, Stephens, 694-713; Augusta Constitutionalist, 17 November 1860.

<sup>16</sup>Percy S. Flippin, ed., "From the Autobiography of Hershel Johnson," American Historical Review 30 (January, 1925): 323-24;



Several of the letters Stephens received were from Republicans and Bell voters in the North, writers who pointed out what Stephens knew well already--that equating abolitionism with Republicanism was wrong. Men in Ohio had voted for Lincoln, said one of these correspondents, because they opposed the Buchanan administration, not because of any desire to interfere with slavery in the South.

And no less a Republican than the President-elect himself offered the same reassurance. Lincoln's request for a copy of the speech initiated a brief exchange of letters between the two old friends. "The country is in great peril," Stephens had written. "No man ever had heavier . . . responsibilities resting upon him than you have."

He was well aware of the danger and his grave responsibilities, Lincoln responded, but genuinely puzzled at the excitement prevailing in the South. "Do the people of the South really entertain fears that a Republican administration would directly or indirectly interfere with the slaves, or with them about their slaves? If they do, I wish to assure you, as once a friend, and still, I hope, not an enemy, that there is no cause for such fears." There was really only one substantial difference between them, Lincoln continued. "You think slavery is right, and ought to be extended; while we think it is wrong and ought to be restricted."

Lincoln had not bargained for the long sharp reply his letter

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Hill's speech in Hill, Benjamin Hill, 237-50; letters on the speech are in Stephens Papers, LC, November-December 1860; J. Henley Smith to AHS, 24 November, 2 December, ibid.

earned him. The gulf separating the two men was even more substantial than he had imagined. Stephens was not discourteous; he was far from holding him an enemy personally, he replied, however wide their political opinions. "We both have an earnest desire to preserve and maintain the Union . . . if it can be done upon the principles . . . [on] which it was formed."

Here was the real rub as Stephens saw it. The South did not fear interference with their slaves, nor were they afraid because the President-elect was antislavery. The purposes of Lincoln's party were feared, a party whose "leading object" was "to put the institutions of nearly half the States under the ban of public opinion and national condemnation." On general principles this object was enough to arouse "general indignation," if not "revolt."

Differences over slavery had existed at the time the Constitution was formed, Stephens continued, and parties had not been formed over them. "Why should they be now?" For only one reason--"fanaticism." It was "neither unnatural nor unreasonable" that the South should be apprehensive "especially when we see the extent to which this reckless spirit has already gone"--the laws against the return of fugitive slaves, for example, or the open sympathy for John Brown.

Stephens concluded with a pointed warning: Lincoln should not underestimate the danger. "Nor can the Union under the Constitution be maintained by force." "Independent, sovereign states" had formed the Union, and they could resume their sovereignty whenever "their safety, tranquillity, and security" demanded it. The federal government had no power to coerce a state. "Force may perpetuate a Union. . . .

But such a Union would not be the Union of the Constitution. It would be nothing short of a consolidated despotism."<sup>17</sup> Stephens may have strenuously opposed the policy of secession; its constitutionality he never questioned.

Stephens' warning can readily be understood. By the time he wrote the above, South Carolina had already left the Union, and Mississippi was certain to follow. The question of coercion had now assumed a "terrible practicality" that protectionism could never have approached. The Carolinians had provided for their convention immediately upon Lincoln's election, and on 20 December in Columbia, amidst much fanfare and ballyhoo, the people's representatives unanimously passed an ordinance of secession. Little Aleck, who had loathed South Carolina radicalism for years, of course deprecated and scorned her action now. But the shock wave of the first secession sent its tremors across the country--and the vibrations in Georgia, just across the Savannah, were particularly strong.

South Carolina's action had been anticipated by almost everyone, including Georgia's Unionists. They had feared it and its possible effect on their own state, but once the threat became reality it caused scarcely a perceptible change in the conservative leaders. The truth was that all of them--Stephens, Johnson, and Hill--had sunk into a profound and inexplicable lethargy. The legislature had allotted six weeks for the convention campaign, and during this time the three

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<sup>17</sup>C. J. Jack to AHS, 3 December 1860, Stephens Papers, LC; John L. Taylor to id., 8 December 1860, ibid.; Abraham Lincoln to id., 30 November, 22 December 1860, and AHS to Lincoln, 14, 30 December 1860, in Stephens, Constitutional View, II, 266-70.

conservative leaders of the South's richest and most populous state delivered exactly one speech apiece. And each of these was in his own home town, where the views of the leading citizen could have been neither unknown, striking, nor influential in the state at large.

Hershel Johnson later wrote that a "fair and energetic canvass" would have demonstrated a large majority against secession. Possibly so; it is difficult to say what might have happened had he, the Stephens brothers, and Hill labored as strenuously as had the famous triumvirate in 1850. But they did not, and their failure to do so helps in large measure to explain Georgia's eventual secession. As will be seen, the secessionists' margin of victory in the convention was thin, thin enough to suppose that a "fair and energetic canvass" down at the county level, out among the simple farming folk at their villages and crossroads, might have altered the complexion of the convention. Of course, the conservatives' lassitude was but part of a larger complex of circumstances and reasons contributing to the secessionist victory, but no political campaign was ever won by apathy. And the conservatives made no attempt to win this one.

Stephens still hated Hill and refused to even speak to him. He did correspond with Johnson, but the two friends confined themselves to swapping gloomy reflections. Vague rumors had circulated around Milledgeville about the formation of a Union party; nothing came of the idea. Aside from the one- and two-man editorial operations in the former Bell press, the conservatives remained totally unorganized, like cowed rabbits in the gaze of a snake.<sup>18</sup>

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<sup>18</sup>AHS to LS, 1 January 1861, Stephens Papers, MC; Flippin, "Johnson Autobiography," 324; Rabun, "Stephens," 596.

Stephens, the foremost conservative in the entire South, presented a pathetic spectacle. Aside from writing letters to his intimates and regular correspondents, he did nothing, wrote nothing, said nothing. Indeed, shortly after the Milledgeville convention Little Aleck seems to have decided that his cause was hopeless and simply gave himself up to despair. Sorrowfully he watched the last major Democratic paper on the conservative side, the Constitutionalist, desert to the other side. "We have indeed fallen on sad times," he sighed. "And I doubt if there is enough patriotism in the country to save us from anarchy either in the Union or out of it." He was having nothing to do with it. "Let those who sowed the wind reap the whirlwind, or control it if they can," he wrote bitterly. "It does seem we are going to destruction as fast as we can."

And while he spared no words of execration for the secessionist editors and politicians, he found it impossible to spare any words at all for Virginia's Governor John Letcher. A visiting Virginia editor had pleaded with Stephens to write Letcher and urge him to convene his state legislature early so as to appoint commissioners to South Carolina to plead delay. Letcher had seen his speech, Stephens answered wearily; writing a letter would do no good.

Even his one address had been no more than a "talk," delivered impromptu to a county meeting in Crawfordville on 24 November. Stephens had a bad cold, did not speak for long, and left the meeting disgruntled. His neighbors had selected him as a delegate to the forthcoming convention, and he was not sure he even wanted to go.

Linton was appalled by his brother's attitude. Convinced that

Georgia was "largely opposed to immediate secession," he found Alex's defeatism shocking. Go to the convention, he urged; do your best; leave the result to God. A few days later Linton allowed himself a rare burst of impatience with his brother. Stephens' steadfast refusal to canvass Linton also found inexplicable, all the more so because he believed Alex had the power to move masses:

I think you are too much disposed to despair. . . . Your despair will be the cause of defeat, not an indication of the coming inevitable defeat. I dont believe the demagogues yet have full possession of the people. On the contrary never was the confidence of the people in you so strong and so preeminent as it is now. Dont disappoint them. You can save the country, I do firmly believe it.<sup>19</sup>

Stephens chose to ignore the pleas. The vaunted people, preferring to follow canting demagogues, had spurned his leadership and his warnings. Let them all go to perdition. He left Crawfordville during the crucial six weeks of the campaign only once--to attend a session of the Supreme Court at Athens during the first week in December. The balance of the month he stayed home, living his life as if everything were normal--supervising the slaughter of his hogs, playing euchre, reading (Dickens and Macaulay), and taking his beloved Rio, now blind and decrepit, on long walks through the woods and over the fields to the ruins.

While Little Aleck sought refuge from the terrible present in memories and familiar routine, the Georgia disunionists were campaigning

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<sup>19</sup>AHS to LS, 21, 23, 24 November 1860, Stephens Papers, MC; id. to D. G. Cotting, 24 November 1860, Joseph F. Burke Papers, EU; id. to J. Henley Smith, 23 November 1860, TSC Corr., 503-04; LS to AHS, 26 November, 2 December 1860, Stephens Papers, MC.

as if they expected the conservatives to appear on the hustings at any moment. "The secessionists all over the state are active and noisy," reported Johnson. And they were "more than zealous," they were "frenzied."

Tom Cobb was indefatigable on the stump, adhering to a daily schedule of three, sometimes four, speeches. His older brother joined him in late December. Secretary Cobb finally tendered his resignation to Buchanan on 8 December, but not before the country witnessed the appearance of his letter advocating immediate secession in the Georgia press. Although expressing different opinions in private--the Republicans presented no real threat to southern interests, he believed--Cobb told the people of the state that the Republicans were not to be trusted, that "degradation" and "certain and speedy ruin" were assured if Georgia remained in the Union. On his way home Cobb, at Brown's request, stopped off in South Carolina to impress upon the Carolinians the importance of immediate action--an unnecessary mission, if there ever was one. Secession would carry in Georgia's elections, the governor wrote, if given this push, otherwise "we are beat and all lost."

Supplementing the speakers calling for immediate secession were reams of argument, tirade, bombast, and cajolery in the Democratic press. With the desertion of the Constitutionalist, the unionist side had lost its only Democratic paper of importance. The Opposition press, including the powerful Chronicle, remained staunchly opposed to secession.

The real battle for Georgia was being waged down at the county

level where in all but nineteen counties two slates of delegates were offered the voters, one pledged to immediate secession, the other opposed to it. The secessionists' position contrasted sharply with that of their opponents. It presented a clear-cut line of policy and was supported by an argument of compelling simplicity: the Republicans were bent on the abolition of slavery. The safety and security of the South required that she leave the Union. On the other hand, their opponents, the cooperationists, labored under the weight of one insurmountable difficulty: lack of agreement on what should be done, much less how to do it. Generally they did agree on cooperating with each other in presenting some sort of ultimatum to the North--hence their name--but attempting to put this policy into concrete terms resulted in nothing but confusion and ambiguity. Their goal was clear: they desired delay, but there were simply too many answers to the myriad questions their policy raised. How should the South reach agreement? How many slave states should agree? Was an all-southern convention necessary? When and where would it meet? Who would choose the delegates, and how? How would northern support be shown? How long should the South wait for such support?<sup>20</sup>

If answering these questions bedevilled the cooperationists,

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<sup>20</sup>Hershel Johnson to AHS, 30 November 1860, Hershel Johnson Papers, DU; Flippin, "Johnson Autobiography," 324; Howell Cobb to the People of Georgia, 6 December 1860, in Augusta Constitutionalist, 16 December 1860; Simpson, Cobb, 142-44; Joseph E. Brown to Howell Cobb, 15 December 1860, Cobb Papers, UG. The campaign for secession and the secessionist argument is described in Johnson, Patriarchal Republic, 10-58. For an excellent discussion of the arguments of the leading men on both sides, the role of the press, and analysis of the cooperationist movement in the state legislature, see Crutcher, "Georgia Parties," 113-223.



their cause was further crippled by two external events over which they had no control. The first of these was the secession of South Carolina, the second the failure of compromise efforts attempted in Washington. Upon convening in early December, both houses of Congress designated special committees to attempt devising a workable compromise formula. Neither of these committees, of thirty-three men in the House, thirteen in the Senate, was destined to demonstrate anything other than the utter impotence of the national government to arrest the precipitous course of events.

Martin J. Crawford expressed the mood of the secessionists perfectly. Rather than allow the executive department to be ruled by a Black Republican, he stormed, "we ought to make our grand charnal house in Geo from the Savannah to the Chattahoochie." Efforts at compromise in his opinion were stupid.

It took the Senate almost two weeks of heated argument to even agree on forming a committee; it took that committee six days to reject every proposal considered. On the other side of the capitol the Committee of Thirty-three, its numbers steadily diminishing as southern representatives seceded along with their states, deliberated until almost the end of February. Even had all its final proposals been accepted (they were not), the gesture would have been as barren as Abraham's wife. Indeed, just such a divine intervention as had changed her condition would have been necessary to reconstruct the Union at that point: seven states had already formed the Confederacy.

By mid-December the southern hotspurs in Congress had had enough. In a telegram sent to every major southern newspaper, thirty-

three cotton state senators and representatives advised their constituents that:

The argument is exhausted. All hope of relief in the Union through the agencies of committees, Congressional legislation, or constitutional amendments is extinguished. . . . We are satisfied the honor, safety and independence of the Southern people are to be found only in a Southern Confederacy--a result to be obtained only by separate state secession.

Six Georgians signed this manifesto. Conspicuously absent was Toombs, who had not yet arrived in Washington. Whether he would have signed is a matter of conjecture. For before leaving home he had written a most uncharacteristic letter to a committee of Georgia citizens. For all his previous blustering, the letter seemed to indicate that Toombs was yet amenable to certain adjustments. Remedy of grievances that all southerners agreed upon, Toombs had written, might still be possible within the Union. "It would be reasonable and fair" to delay secession if a majority of the Republicans in Congress endorsed constitutional amendments guaranteeing southern rights and security. This would be a constitutional means of testing northern professions of good faith.

The letter flabbergasted almost everybody in Georgia. The secessionists understandably approached apoplexy in their outrage. With a few strokes of his pen Toombs had immeasurably damaged their cause. Toombs "deserves the excoriation [sic] of every man in Geo who has a regard for truth virtue morality & integrity," wrote one angry citizen of Columbus. "This is no time for men to equivocate." In Augusta enraged secessionists voted Toombs a tin sword. "Traitor" was about the mildest epithet radicals could find to describe him.

Stephens professed not to be fooled by the letter. It was, he wrote, "a master-stroke to effect his object." It would lull conservatives to his support, and then propel them into supporting secession when the Republicans, as they must, rejected his proposed amendments.<sup>21</sup>

As far as Stephens was concerned, the Constitution did not require amending. "The Constitution as it is with a discharge of all its present obligations is what I want." And as it turned out, Stephens' predictions were correct. Toombs, at his own request, was placed on the Senate Committee of Thirteen, to which he offered six proposed amendments, all embodying the extreme southern position--among them: protection of slave property in the territories, consent of the majority of slave state legislators in Congress for the passage of any law concerning the institution, and federal punishment for persons aiding and abetting slave insurrections. The committee's five Republican members found these and the other three suggestions equally obnoxious and summarily rejected them all.

Even before the vote, though, Toombs had reverted to his old self. On 23 December the Senate had voted down a set of considerably milder resolutions proposed by Crittenden. The Republican party obviously offered no guarantees, much less the kind envisioned by Toombs

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<sup>21</sup>Nevins, Emergence, II, 390-409; Martin J. Crawford to AHS, 8 December 1860, Stephens Papers, LC; J. Henley Smith to AHS, 9 December 1860, ibid.; Robert Toombs to E. B. Pullen et al., 13 December 1860, in Milledgeville Southern Recorder, 25 December 1860; W. N. Hutchins to "Dear Fitz," 19 December 1860, Nathan L. Hutchins Papers, DU; AHS to LS, 22 December 1860, Stephens Papers, MC; id. to R. M. Johnston, 22 December 1860, in Johnston and Browne, Stephens, 370.

as the minimum acceptable. That night, therefore, the Senator telegraphed his advice to the state, and on Christmas morning the following roared out at Georgians from the pages of their newspapers:

Further looking to the North for security for your constitutional rights in the Union [said Toombs] ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity. Secession by the fourth of March next should be thundered from the ballot box by the unanimous vote of Georgia on the second day of January next. Such a voice will be your best guarantee for liberty, security, tranquillity, and glory.

Along with other greetings of the season, the Constitutionalist offered: "THE LAST REFUGE OF CONSERVATISM IS DESTROYED! GEORGIA MUST SECEDE."

Against such stirring appeals Georgia's leading conservative could offer nothing but hopes that the people would exercise "a patriotic forbearance for a while relying upon the good sense and patriotism of the conservative masses of the North." If the people "united in a common effort for a redress of grievances," Stephens told a New York correspondent, "with an intent to be satisfied with it when it was obtained," he would feel confident about Georgia's proving equal to the crisis. Even though the actions of other states considerably dimmed these expectations, he was still not without hope--or so he said. "All I can do to that end will be done."<sup>22</sup>

When? If Stephens thought that sitting home in funereal contemplation was all that he could do, then his conception of ef-

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<sup>22</sup>AHS to LS, 29 December 1860, Stephens Papers, MC; Robert Toombs to the People of Georgia (telegram), 23 December 1860, TSC Corr., 525; Augusta Constitutionalist, 25 December 1860; AHS to Bradford Wood, 24 December 1860, Simon Gratz Collection, PHS.

fective political action had undergone radical revision. The truth was he had simply given up. The only redress he thought necessary was a revocation of the personal liberty laws in the North. But the radicals, he was convinced, did not desire redress. They meant to destroy the government, and the movement they had spawned was now running out of even their control.

In Washington a distraught Buchanan, his cabinet and his country crumbling around him, could think of nothing better to recommend than prayer for divine assistance. Even this resort Little Aleck considered hopeless. "It is past praying I fear. Mr. Buchanan has ruined the country. His appeal to heaven was made too late."

Two days after Stephens wrote these New Year's Eve reflections Georgians went to the polls. Perhaps "sloshed" or "squished" or "swam" would be a more accurate description though. The day of Georgia's most important election in her history as a state was the worst day in anyone's memory. Torrential rains and windy, bone-chilling weather prevailed all over the state, from Albany in the southwest over to Savannah on the coast, to Macon in the center, and Atlanta in the northwest. "The elements of nature seemed to be in accordance with the distemper of the times," Stephens remarked the next day.

Little Aleck had driven over to the courthouse in the pouring rain to cast his ballot the previous afternoon. There he found a drenched and woebegone-looking crowd of about a hundred gathered around the stoves or huddled together on the steps or in the jury box. Moved by their forlorn expressions, Stephens made them a little speech. He

urged his neighbors above all to keep calm. Fear and panic were the worst enemies. He could not tell what the convention would do, he said, but as for himself he had but two objects: first, the maintenance of the "right, honor, safety, and security of Georgia," which he would defend "to the last extremity"; and second, "the maintenance of the Union." If this second object were not obtainable he favored cooperation with the other states in forming a new Union based upon the Federal Constitution. "Three cheers for South Carolina!" yelled one of the local zealots. And in return--silence, broken only by the drip, drip, drip of water from hats and cloaks of the grim-faced crowd.

Little Aleck was always convinced that the rain had cost the conservatives the election. In 1867 he estimated that so many country voters had been forced to stay home that "we lost at least twenty Union members." The most recent quantitative analysis of the results seems to bear him out. The secessionist candidates, historian Michael Johnson concludes, polled at the most 44,152 votes to 41,632 for the cooperationists. A "more realistic" estimate, he says, is 42,744 for the secessionists to 41,717 for their opponents. "Georgians were so equally divided by the question," he writes "that the voters' judgment can justly be termed a paralyzing indecision."

The "official" returns, which historians have relied upon until now, were reported by Governor Brown--four months after the election and only then at the specific request of some Georgia citizens--as 50,243 votes for secession to 37,123 for cooperation. Had the real results of the election been published immediately as was customary, the secessionists even then might have been given pause. Quite obviously the sentiment for immediate secession in Georgia, despite the

conservatives' apathetic campaign, was anything but the "unanimous" thunder Toombs desired. Stephens' lament about the weather, therefore, has real substance. As it was, even in the downpour over 87,000 Georgians struggled to the polls--more than 80 percent of the turnout in November's presidential election. The voters at large were anything but apathetic.

Although a plethora of individual exceptions exist, especially if individual county returns are isolated and scrutinized, as a general rule Breckinridge counties of 1860 tended to vote secessionist, Bell counties the opposite. Generally, too, the more slaves in a county, the more likely it was to support secession. Two conspicuous exceptions to these generalizations were the strongly Democratic counties of north Georgia, which voted overwhelmingly cooperationist, and the southeastern wire grass counties, also strongly Breckinridge in 1860, which split evenly on the secession question. The Georgia Piedmont provided the second exception. Here, in the black belt where slaveholding counties predominated, so too did cooperationism. Voter turnout in the state, higher than in any of the others, indicates that the secession question was by no means an open and shut case. In the final analysis, the results in Georgia hinged on intangible, unmeasurable, unquantifiable factors. Whether it was the rain and cold, an aching bunion, an argument with the wife, or a hangover that kept an individual Georgian from the polls that January, it is conceivable that he would have likely voted cooperationist.

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<sup>23</sup>AHS to J. Henley Smith, 31 December 1860, TSC Corr., 526-27; AHS to LS, 3 January 1860, Stephens Papers, MC; Johnson,

But his leaders had not impressed upon him the fact that his vote was crucial. Had Georgia's leading cooperationists demonstrated just half the tenacity of their followers and their opponents during the campaign, the results of this crucial election might very well have been reversed. The approach of the convention, however, still found them in the grip of a paralyzing indecision and a morose, almost pitiful pessimism. After the rain Stephens was inclined to think that the conservatives' bad luck was being engineered by God. The whole series of misfortunes since last April, he wrote, had led him to believe "that a severe chastisement for sins of ingratitude and other crimes is about to be inflicted upon us." Stephens' essential Puritanism showed itself again. His despair had reached its nadir. With God against him, what could he possibly do?

Governor Brown, a zealot of a far different sort, was anything but indecisive. On 3 January 1861, the day after the election, he ordered the occupation of Fort Pulaski, at the mouth of the Savannah. The bewildered cooperationists could only look on in horror. Brown was being pressured into such rash actions, said Stephens, by Toombs and the other ultras. They realized that the federal government was impotent under Buchanan, and they meant to make secession inevitable. Hershel Johnson agreed. Brown was obviously attempting to influence the convention, he said, so "as to render secession a necessity."

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Patriarchal Republic, 63-65, 189-228. See also, Michael F. Johnson, "A New Look at the Popular Vote for Delegates to the Georgia Secession Convention," Georgia Historical Quarterly 56 (1972): 259-75; Crutcher, "Georgia Parties," 233-42. An older, but still useful economic analysis of the vote is in Irons, "Secession in Georgia," 339-45.



And was not this action an act of war while Georgia was still in the Union? Was "it not technically & practically treason against the U States?" A perplexed and tight-lipped Johnson shook his head in disbelief. "For my life I cannot understand how they expect secession to be peaceable, when they make war against the Govt of the U States, in advance of the act of secession."

"Technically & practically" Johnson may have been right, but such bothersome details hardly deterred the movement's leaders any longer. The dizzying momentum of events increased. Three more states left the Union during the first two weeks in January: Mississippi on the ninth, Florida the next day, and Alabama two days later. Louisiana and Texas voted for their conventions. On the tenth Louisiana state troops seized the federal arsenal at Baton Rouge; the Pensacola naval yard fell to Florida troops on the thirteenth.

Less than a week before Georgia's convention was due to meet, Stephens concluded "that the State will secede." The policy was utterly wrong, but impossible to resist. All he intended to do now was "maintain my principles to the last, let what *may* come." He really did not want even to be a part of the proceedings and regretted that he had ever consented to be a delegate. "I am getting to be a thorough home man," he told Linton. Trips used to please him, but he found "such trollopings . . . great annoyances" now.<sup>24</sup>

Had Stephens not gone to Milledgeville on 16 January he would have voluntarily numbered himself among the very few of Georgia's

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<sup>24</sup>AHS to LS, 3, 7, 9, 10 January 1861, Stephens Papers, MC; Hershel Johnson to AHS, 9 January 1861, Hershel Johnson Papers, DU.

political luminaries who were not in attendance. But Stephens, complain though he might, did not seriously consider betraying a public trust. Besides, Linton was also a delegate, and where Linton went, Stephens went; what he must bear, so must Alex.

Just as it had in 1850, the state of Georgia occupied a pivotal position in the future destinies of the South. Had she rejected secession, even at this juncture with four states already out, the effect upon the movement would have been incalculable. For without Georgia there could be no southern confederacy worthy of the name; without Georgia the secession movement would have hobbled on one leg. The fact that only one state, and particularly the richest and most populous in the South, could cripple the movement by voting secession down was always the weakest point (and the greatest apprehension) in the separate state secession movement. The success of the radicals' plans depended utterly upon unity and swift execution. Any faltering by any state during the process might well prove fatal.

On the other hand, the Georgia conservatives by 16 January 1861 occupied an extremely anomalous position. They too argued for unity, but four of the Gulf states already formed a unity against them. The pressure for Georgia to join them was overwhelming. Moreover, the conservatives were despondent, demoralized, unorganized, and confused. They had let eight weeks go by without the first move towards concentration on a common strategy, much less a concerted attack on their enemies. Momentum, or possession of the initiative, was the paramount advantage the radicals took into this convention. And in the end, although the contest was far closer than most of them desired, it sufficed for victory.

Not a single one of Georgia's major politicians was absent. Three of them, Governor Brown, Howell Cobb, and Superior Court judge Charles J. Jenkins, were not delegates, but the convention voted them seats on the floor. In all, eight former congressmen, two former senators, two ex-governors, one ex-cabinet member (besides Cobb), and all of the state's present congressional delegation were there, plus a whole gaggle of state politicians and judges. Not only was the assembly illustrious, it was also rich. The median wealth of the group was \$24,000; only two in ten owned no slaves, and over half the delegates owned more than twenty. In short, the cream of Georgia's aristocracy would render her decision.

Similar aristocratic commissioners from states already seceded also attended--James Orr of South Carolina and John G. Shorter of Alabama, both of whom would address the convention on its first day, and Rhett and Yancey, too--buttonholing delegates on the floor, exhorting, pressuring, arguing in low, intense tones. These men knew very well what was at stake here.

So, supposedly, did the conservatives, but none of them had come to the convention prepared. Immediately upon Stephens' arrival, Johnson had conferred with him, and had been, so he says, "surprised" to discover that his friend had not written a word--not a speech, not a plan, not the first line of a conservative resolution. Johnson should not have been so surprised. He had been corresponding with Stephens for weeks; the two men had never so much as mentioned convention strategy.

Stephens' adamant refusal to take the lead once he did get to

Milledgeville, however, is more puzzling. Johnson urged him to, told him the Union delegates were looking to him for leadership--all to no avail. By all means write up the resolutions yourself, Stephens said, and he would support them.<sup>25</sup> So at the penultimate moment Alexander Stephens abdicated, absolved himself of all responsibility for what he regarded as an inevitable tragedy. Not only was Little Aleck conceding the defeat of his cause, in a special way he was bowing his head too in personal surrender to an enemy whom he had fought all his life. For once despair had conquered him.

The convention offered him its presidency, an honor he politely --and understandably--refused. But he did suggest that his old friend George Crawford, the ex-governor, be named. For the first and last time in his life, one of his suggestions was unanimously adopted. Little Aleck helped escort Crawford to the chair.

Events moved swiftly now. On its third day, the eighteenth, the convention received two sets of resolutions, the first by Eugenius Nisbet of Macon, a former Whig, American, and Douglasite, declared it Georgia's duty to secede from the Union and join a southern confederacy. Johnson immediately countered by offering his own set of six resolutions as a substitute. Basically they sought delay, calling for a convention in Atlanta of all the unseceded states and "independent Republics" to consider relations with the Federal Government, and promising prompt action if redress were not forthcoming.

If the delegates expected a long and passionate address from

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<sup>25</sup>Ralph A. Wooster, The Secession Conventions of the South (Princeton, N. J., 1962), 28-29, 84-86; Irons, "Secession in Georgia," 352; Flippin, Johnson, 177.

Stephens when he rose to speak for these resolutions, they were soon disabused. He barely occupied fifteen minutes. In the opinion of one who heard it, the "speech was not intended to influence the minds of the members . . . but simply as an expression of his opinion." Hershel Johnson judged more harshly. Stephens' support was "half-hearted and ineffective," he said. "His speech amounted to a surrender of the contest . . . It was so interpreted by many who heard it." Both critics were correct.

"It is well known," Stephens said, "that my judgment is against secession for the existing causes." And because of this he declined "to go into any arguments on the subject." "No good could be effected by it." Every delegates' mind was made up, he continued; the arguments had all been heard in the canvass. In the first sixty seconds, Little Aleck had admitted defeat.

As he had precluded trying to sway anyone's opinion, the rest of the speech quietly recited the reasons he opposed immediate secession. The gist of it was that "the point of resistance should be the point of aggression." He was confident, he told the delegates, that a united South could obtain redress of grievances in the Union, and if the convention passed these resolutions he would do all he could to perfect a plan for cooperative action.

In closing, Stephens made it clear that he would not vote for secession. None of the existing causes warranted it, he repeated, but "if the judgment of a majority of this Convention, embodying as it does the Sovereignty of Georgia, be against mine . . . I shall bow in submission to that decision." In spite of the convention's ban on such

demonstrations, Stephens' submissive patriotism received a burst of applause.

Others--Nisbet, Tom Cobb, Johnson, Hill--spoke, but it is doubtful that anyone's mind was changed. The vote, when it came, was 166 votes for Nisbet's resolution, 130 against. The convention promptly appointed a committee of seventeen, including Stephens, to draft an ordinance of secession.

The conservative cause twitched twice more before expiring. Before adjournment on 18 January a cooperationist motion that Governor Brown release the county vote totals to the convention was defeated, 168 to 127. And the next day Ben Hill attempted once again to substitute Johnson's resolutions for Nisbet's. This time the vote was 133 yeas, 164 nays. A switch of 16 votes--a very narrow margin--would have kept Georgia in the Union.

The struggle was over. The ordinance of secession now passed by a vote of 209 to 89. Alexander H. Stephens, delegate from Taliaferro, voted "nay."<sup>26</sup>

All that remained now was the formality, the signing of the ordinance, the culmination of a movement Stephens loathed to the depths of his soul. It was his duty now, though, to pick up that pen and sign. The sovereignty of Georgia, the unquestioned, the indivisible sovereignty, had spoken. What were his thoughts as he scrawled his signature across

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<sup>26</sup>Augusta Chronicle and Sentinel, 18 January 1861; the "Journal of the Secession Convention" is in Candler, Confederate Records of Georgia, I, 229 ff.; Stephens' speech in Johnston and Browne, Stephens, 380-82; F. C. Shopshire to Mary Wright Shopshire, 18 January 1861, Wright-Shopshire Family Papers, LC; Flippin, ibid.

that parchment? The future he dared not contemplate; only war and mayhem were visible there. Perhaps his thoughts drifted back to his days as a famous and respected congressman, speaking out for the rights of his state and of his section, speaking as a leader whom Georgians heeded. Perhaps he remembered his successful struggle to help save the Union he loved. It all seemed so long ago, 1850. . . . How things had changed since then! But how very much the same he was.

Perhaps he remembered something that he said on the floor of the House during those dark days of 1850, the audience quiet, attentive, enthralled by the piercing voice:

Sir, if I know anything of conservatism, it is that principle which sustains the supremacy of law, which maintains the rights of all parties under the law, and which never abandons the public faith once constitutionally given. This is the nature of my conservatism. . . . I am for abiding by the order of things as I find them constitutionally existing, until they be constitutionally changed. If they get too bad to be borne without hope of redress, then I shall be for revolution.<sup>27</sup>

He could have said the very same yesterday. Even as he signed himself out of the Union, Alexander Stephens still believed it. Revolution had embraced him--she had taken a fickle lover.

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<sup>27</sup>Cong. Globe, 31st Cong., 1st sess., Appendix, 1082.

## EPILOGUE

The times controlled the men. Southerners were captives of their own dreams. Free at last from the dominations and hatreds of northern society, free at last to construct a nation in their own image, the leaders of the South chose to ignore the hatreds in their own society, chose to ignore the bitterness, the frustration, the distrust and suspicion that still resided in Dixie.

The triumph of the secessionists, marked by fireworks and champagne toasts all over the Gulf South, for the moment obscured the narrowness of that triumph. Dream had become reality--but for how many southerners? The fact that the question could even be posed dictated the response: for all southerners. It was a new epoch, a tabula rasa, a creation, a revolution. Southern unity, indeed a new southern nation, existed not by choice, but by necessity. And necessity often dictates strange choices.

So it was that Alexander H. Stephens of Georgia was chosen to help lead the Confederate States of America. As always, as it had from the beginning of the sectional struggle, political imperatives in the South demanded the often incongruous choice, the less than safe alternative.

Georgia herself had led the way. Once an independent republic, she embraced all her factions and bestowed her honor and blessing on each. To Montgomery, where the southern nation was to be formed, she



sent ten of her most illustrious men: Toombs and Cobb, Ben Hill and Frank Bartow, Martin J. Crawford, the firebrand, and Alexander Stephens, the doomsayer of Crawfordville.

Stephens was not delighted, to say the least. He went to Montgomery reluctantly, like the groom to a shotgun wedding. And he went only after the convention had met the condition he laid down: the new government must mirror the old. The new government must be based on the Federal Constitution. If he could not have "the best government in the world," he would have its twin. Nothing but duty demanded this trip. The secessionists hotspurs were not to be trusted, even for a moment, and especially not with the delicate task of drawing up the fundamental law of the nation. Building a new republic required "the strictest and sternest patriotism" of its leaders.

The Montgomery convention thought so too. To his unutterable chagrin--and without a dissenting vote--it elected Stephens Vice President of the new government. Little Aleck knew his Shakespeare, and often quoted him. Even now, formally designated the second sternest patriot in the southern confederacy, some lines from Lear might have occurred to him:

"We were villains by necessity;  
Fools by heavenly compulsion."

It was 9 February 1861, twenty-two days since he had voted, with all his soul, for the Union.

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## VITA

Thomas Edwin Schott was born in Vicksburg, Mississippi, on 2 September 1943. He spent the first sixteen years of his life in New Orleans, Louisiana, where he attended Jesuit High School. He was graduated from Catholic High School in Baton Rouge, Louisiana, in 1961 and received his B. S. from Spring Hill College, Mobile, Alabama, in 1965. He began four years service with the United States Air Force in July 1966, and was separated from the service at the rank of Captain in July 1970. Before beginning graduate work at Louisiana State University in the fall semester of 1972, he was employed by the W. T. Grant Company and the Times Picayune Publishing Company in New Orleans. He received his M. A. in 1974.

He was married to Susan Faith Gremillion of Baton Rouge, Louisiana, on 1 July 1967, and is the father of two children: a daughter, Tanya Ann, ten years old, and a son, Stuart Damian, seven months old. He is currently employed as a historian by the Air Force in the Historical Office at Tinker Air Force Base, Oklahoma City, Oklahoma.

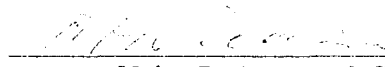
## EXAMINATION AND THESIS REPORT

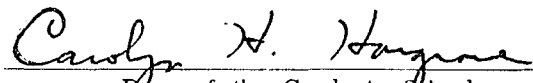
Candidate: Thomas Edwin Schott

Major Field: History

Title of Thesis: ALEXANDER H. STEPHENS: ANTEBELLUM STATESMAN

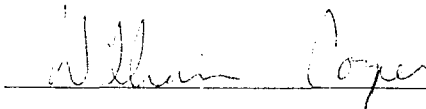
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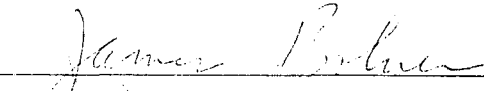
  
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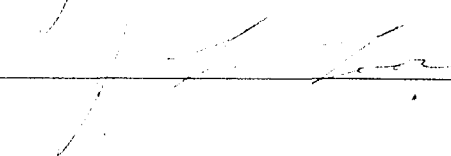
  
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### EXAMINING COMMITTEE:

  
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Date of Examination: \_\_\_\_\_

November 3, 1978